

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:06.04.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.8006 of 2023

Chinnaiah

... Petitioner

Vs.

1.The Superintendent of Police,
Madurai, Madurai District.

2.The Inspector of Police,
Kottampatti Police Station,
Madurai District.

3.Mr.Sankar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to grant permission to the petitioner's village temple of Mel Manthai Arulmigu Sree Mariamman Temple situated at Siyanthanpatti Village Ayyapatti Post, Melur Taluk, Madurai District, to perform the festivals on 10.04.2023 conducting poojas and Swamy Oorvalam and to provide adequate police protection in the eve of the general public festival in the light of the order of this High Court in WP(MD) No. 6364/2023 dated 27.03.2023.

For Petitioner : Mr.K.Muraleedharan
For Respondents : Mr.S.Manikandan
Government Advocate (Crl. Side)

ORDER

The writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the 2nd respondent to grant permission to the petitioner's village temple of Mel Manthai Arulmigu Sree Mariamman Temple situated at Siyanthanpatti Village Ayyapatti Post, Melur Taluk, Madurai District, to perform the festivals on 10.04.2023 conducting poojas and Swamy Oorvalam and to provide adequate police protection in the eve of the general public festival in the light of the order of this High Court in WP(MD) No. 6364/2023 dated 27.03.2023.

2.The writ petition W.P.(MD).No.6364 of 2023, was filed by this petitioner seeking direction, that was considered by the order dated 27.03.2023, directing the respondent herein to consider the representation of the petitioner in the light of the circular memorandum in Rc.007301/Genl.I (1)/2019, dated 09.04.2019, issued by the Director General of Police, Tamil Nadu, Chennai.

3.Now this petition has been filed stating that all the arrangements have been made for the above said celebration and even though the third respondent who is making objection was available and agreed for the above said arrangement, the representation that was made by the petitioner has not been considered so far and has been kept pending by the second respondent without passing any orders.

4.It is further submitted that the father of the third respondent filed a suit in O.S.No.23 of 2006 before the learned District Munsif, Melur and that was dismissed. Subject matter of the suit was the right of the pooja and management of the temple. Against which, he preferred an appeal in A.S.No.32 of 2013 before the I Additional Sub Judge, Madurai and that was also dismissed by confirming the Judgment passed by the trial Court. According to the learned counsel for the petitioner, since the father of the third respondent lost his right in the civil proceedings, now the third respondent making trouble.

5.Let the third respondent be enquired by the second respondent and pass orders on the representation made by the petitioner. Depending upon the outcome of the above said enquiry, further action may be taken

by the petitioner or by the second respondent. At the time of enquiry, the second respondent may taken into account the civil court decree that has been passed against the third respondent, since he cannot make any trouble now.

6.With the above directions, this writ petition stands disposed of.

No costs.

06.04.2023

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

TM

Note : Issue order copy today (06.04.2023)

To

- 1.The Superintendent of Police,
Madurai, Madurai District.
- 2.The Inspector of Police,
Kottampatti Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

W.P(MD)No.8006 of 2023

G.ILANGO VAN, J

TM

Order made in
W.P(MD)No.8006 of 2023

Dated :06.04.2023