



W.P.(MD) No.12685 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.05.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P(MD)No.12685 of 2023
and W.M.P.(MD)No.10703 of 2023

K.Amalraj

... Petitioner

-VS-

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 3.The Revenue Divisional Officer,
Sivagangai District,
Sivagangai.
- 4.The Tahsildar,
Sivagangai Taluk,
Sivagangai District.
- 5.The Inspector of Police,
Madhagupatti Police Station,
Sivagangai District.
- 6.AL.Madhavan



7.N.Ragunathan
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... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to permit Parayar community people to worship the Namanur namely Kaliyuga Ayyanar, Sri Manaikoli Amman, Sevugaperumal Ayyanar, Kannaramuthu Ayyanar, Sevittu Ayyanar temple and allied Gods and participate the festival scheduled on 02.06.2023 and to accept polo tax (Thalakattu Vari) from the Parayar community.

For Petitioner : Mr.A.Vadivel

For Respondents : Mr.A.Kannan,
Addl. Govt. Pleader for R1 to R5

ORDER

The petitioner herein represents the scheduled Caste community people of Namanur Village. The grievance of the petitioner is that their community people are not permitted to worship Kaliyuga Ayyanar, Sri Manaikoli Amman, Sevugaperumal Ayyanar, Kannaramuthu Ayyanar, Sevittu Ayyanar temple and allied Gods and participate in the festival scheduled on 02.06.2023 as well as for acceptance of Thalakattu Vari from their community people.



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2. If the claim of the petitioner is accepted on its face value, the same would amount to discrimination and violation of Article 14 of the Constitution of India.

3. The learned Additional Government Pleader submitted that there are three rival groups in the said Village and owing to the dispute among themselves, a peace committee was held by the Revenue Divisional Officer, Sivagangai on 17.05.2023 and the decision of meeting has been circulated before me. A perusal of the order passed by the Revenue Divisional Officer, reveals that all the three parties had agreed for the following:

“சிறப்பு வழிபாடுகள் (தீர்த்தம் அளிப்பது, பரிவட்டம் கட்டுவது, திருநீறு பூசுவது, மாலை மரியாதை அளிப்பது, குடைபிடித்து செல்வது உள்ளிட்ட) முதல் மரியாதை ஏதும் கிடையாது என்பதையும், மூன்று தரப்பினரும் ஏக மனதாக ஒப்புக் கொண்டனர்.”

However, the issue with regard to the participation of the Scheduled Caste community people in the festival and permitting them to pay the Thalakattu Vari was not discussed in the peace committee. The prayer in



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the writ petition is only for such participation and acceptance of the Thalakattu Vari. In this regard, the petitioner had also given a representation to the Revenue Divisional Officer, Sivagangai on 11.05.2023. Since the festival is to commence on 02.06.2023, I am of the view that the Revenue Divisional Officer can be directed to conduct a peace committee only for the limited purpose of permitting the petitioner to participate in the festival and for payment of Thalakattu Vari.

4. In this background, there shall be a direction to the third respondent herein to forthwith conduct a peace committee meeting by consideration of the petitioner's representation dated 11.05.2023 and arrived at a final conclusion on or before 01.06.2023. While conducting such proceedings, the Revenue Divisional Officer shall give notice to all the three rival groups. It is made clear that the decision taken earlier in the peace committee meeting conducted on 17.05.2023 shall be binding on all the three groups and that the parties shall not re-agitate the same issues in the present peace committee meeting.



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5. Accordingly, the Writ Petition stands disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

25.05.2023

NCC : Yes/No

Index : Yes/No

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Note: Issue order copy on 29.05.2023

To:

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 3.The Revenue Divisional Officer,
Sivagangai District,
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M.S.RAMESH, J.

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