



W.P.(MD)No.18957 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.18957 of 2023

and

W.M.P(MD)Nos.15758 & 15759 of 2023

J.Gurusamy

... Petitioner

VS

1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam,
Chennai.

2.The Revenue Divisional Officer,
O/o.the Revenue Divisional Office,
Sattur,
Virudhunagar District.

3.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Madurai.

4.Irukankudi Arulmighu Mariamman Thirukoil,
Through its Executive Officer,
Sattur Taluk,
Virudhunagar District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records relating to the peace committee proceedings in Na.Ka.No.A1/3420/2023 dated 01.08.2023 passed by the second respondent and quash the same as illegal.

For Petitioner : Mr.Mr.Ajmal Khan
Senior Counsel
for M/s.Ajmal Associates

For R1 to R2 : Mr.S.P.Maharajan
Special Government Pleader

For R3 & R4 : Mr.VR.Shanmuganathan
Standing Counsel

ORDER

This writ petition is filed for a writ of Certiorari to quash the impugned Peace Committee proceedings in Na.Ka.No.A1/3420/2023, dated 01.08.2023.

2. The contention of the petitioner is that the said village function is being celebrated by four villagers, namely, Irukkankudi, Nathathupatti Village, Mettupatti Village, Appaneri Village. The Honor is granted to all the four villagers which is stated as under:-



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Name of the Village	Honor received during the festival
Irukkankudi	Parivattam and Tying of Neem leaf
Nathathupatti Village	Urchavar Amman (carrying the Goddess)
Mettupatti Village	Urchavar Amman (carrying the Goddess)
Appaneri Village	Nagara Vandī

3. Now the issue raised in the impugned Peace Committee Meeting is regarding “Parivattam” alone. The contention of the petitioner is that in the Peace Committee Meeting the respondents have denied Parivattam which was granted all these years to Irukkankudi village. The respondents have stated in the impugned order that honour cannot be granted because the High Court has restrained from granting honour to the individuals. However, the contention of the Learned Senior Counsel appearing for the petitioner is that honors are granted other villagers by allowing to carry the Urchavar Amman and Nagara Vandī. Therefore, the petitioner cannot be denied the Parivattam.

4. However the other objectors submitted that Parivattam was never ever granted to the petitioner, but only Garlands, Neem Leaf was granted. But the petitioner refuted the said contention and submitted that Parivattam was granted last year. The learned Special Government Pleader appearing for the respondents



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1 to 3 submitted that the Parivattam was never ever granted and that was started only in the year 2019, which was objected by the other persons. The Video evidence show by the petitioner ought to be ascertained. Moreover, in the year 2022 a Peace Committee Meeting was conducted. In the meeting also the issue was raised, but the same was not decided. In the minutes of the meeting it is stated as under:-

“16. இருக்கண்குடி திருக்கோவிலில் (5.8.2022) நேற்று இருக்கண்குடி ஊநாட்டாமைக்கு கோவில் சார்பாக பரிவட்டம் கட்டப்பட்டதால் நத்தத்துப்பட்டி மக்கள் ஆட்சேபணை செய்தனர். இதற்கு உதவி ஆணையர் அளித்த விளக்கத்தில் இருக்கண்குடி ஊநாட்டாமை சார்வில் ஆதாரமாக காண்பிக்கப்பட்ட வீடியோவின் அடிப்படையில் அந்த இக்கட்டான நேரத்தில் நடைபெற்றதாகவும் இந்த வீடியோ சரியா, தவறா என முடிவு செய்ய நேரம் இல்லை என்றும் தெரிவித்தார். மேற்படி வீடியோவினை ஆய்வு செய்து தவறான வீடியோ என தெரியவந்தால் சம்பந்தப் பட்ட நபர்கள் மீது இந்து அறநிலையத்துறையினரால் புகார் அளித்து காவல் துறை மூலம் நடவடிக்கை எடுக்க தீர்மானிக்கப்பட்டது.□

5. In the meanwhile in order to conduct the function in a peaceful manner for the year 2023, this Court directs the petitioner shall give Pooja Articles along with Garlands and Parivattam cloth to the temple, thereafter, the same will be handed over to the petitioner and then the petitioner can tie the Parivattam on his own. This order is granted only for the year 2023 function alone. It is made clear that this cannot be shown to claim any rights in future.



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6. In the meanwhile, the petitioner shall submit an application under Section 63-E of the HR & CE Act before the Joint Commissioner, HR & CE and he shall consider the said petition and ascertain the customary rights of the petitioner and dispose of the petition within a period of three months from the date of filing of the petition.

7. This order cannot be cited as a precedent for the next year and for any years in future. With these observations and directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

03.08.2023

Index : Yes / No

Internet : Yes

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Note: Issue Order Copy on 03.08.2023



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To

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S.SRIMATHY, J

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Order made in
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03.08.2023