



W.P.(MD).No.23026 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 24.11.2023

CORAM

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

W.P.(MD).No.23026 of 2021

V.Vellaiasamy

... Petitioner

Vs.

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

2. The Deputy Superintendent of Police,
Aranthangi,
Pudukkottai District.

3. The Executive Magistrate/Tahsildar,
Aranthangi Police Station,
Pudukkottai District.

4. The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.

5. V.C.Manickam

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ or order or direction in the nature of Writ of Mandamus directing the respondents 1 to 4 to take appropriate action to ensure that Thalaikkattu Vari for the 9 families of Vellingiyankarai for the Temple festival of Arulmighu Rajanarayana Perumal enshrined with Ariyanayagi Amman Vaalambakadu Village, Aranthanghi Taluk, Pudukkottai District is received by temple management and similarly Prasatham (kalanchi) also distributed to the aforesaid 9 families by considering petitioner representation dated 13.12.2021.

For Petitioner : Mr.K.Baalasundharam

For Respondents : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor,
for R1 to R4

: M/s.N.Tamilmani for R5



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ORDER

This writ petition has been filed seeking a writ of mandamus to direct the respondent Nos.1 to 4 to take appropriate action to ensure that Thalaikkattu Vari for the 9 families of Vellingiyankarai for the Temple festival of Arulmighu Rajanarayana Perumal enshrined with Ariyanayagi Amman Vaalambakadu Village, Aranthanghi Taluk, Pudukkottai District is received by temple management and similarly Prasatham (kalanchi) also distributed to the aforesaid 9 families by considering the petitioner's representation dated 13.12.2021.

2. The petitioner and the fifth respondent are the relatives and also belongs to same community. Both are devotees of the Arulmighu Rajanarayana Perumal enshrined with Ariyanayagi Amman temple. It is the grievance of the petitioner that through the fifth respondent is the head of the village as well as the temple, he did not receive the TalaikattuVari. Hence, the petitioner herein has filed this petition.



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3. During the pendency of the case, the fifth respondent filed an affidavit, which reads as follows: -

IN THE HIGH COURT OF JUDICATURE AT MADRAS
MADURAI BENCH
(Special Original Jurisdiction)
W.P.(MD)No.23026 of 2021

V.Vellaiasamy,
S/o.Vellaia Adaikkalam,
Vallambakadu,
Arasarkulam post,
Aranthangi Taluk,
Pudukkottai District.

... Petitioner

-Vs-

1. The Superintendent of Police,
Pudukkottai District,
Pudukkottai.
2. The Deputy Superintendent of Police,
Aranthangi,
Pudukkottai District.
3. The Executive Magistrate/Tahsildar,
Aranthangi Taluk,
Pudukkottai District.
4. The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.
5. V.C.Manickam,
S/o.Chinnaiah,
Vallambakadu,
Arasarkulam post,
Aranthangi taluk,
Pudukkottai District.

... Respondents



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AFFIDAVIT FILED BY THE 5th RESPONDENT

I, V.C.Manickam, S/o.Chinnaiah, Hindu, aged about 78 years, residing at Vallambakadu, Arasarkulam post, Aranthangi taluk, Pudukkottai District, do hereby solemnly affirm and sincerely State as follows.

1. I submit that I am the 5th respondent herein and as such I am well acquainted with the facts and circumstances of the case and as such I am filing this affidavit.
2. I humbly submit that I never excommunicated any family of my village and I never refuse to receive the "ThalaiKattu Vari" for performing the above said Temple function from any karai people of said our village. Likewise I never refuse to distribute the prasthan(Kalanchi) of the temple to any of the families of our village.
3. I most respectfully submit that I am ready to collect tax (Thalaikattu vari) from the petitioner's karai Vellangiyankarai 6th karai people and I am ready to give prasatham (Kalanchi) to them.



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To that effect I am filing this affidavit.



L12 of V.L. Narick

Solemnly affirmed at Madurai
on this the 20th day of November, 2023
the deponent being unacquainted with
English hence explained in Tamil
and signed his name in my presence.

Before me

C. Saravathi Prasad

Advocate, Madurai.

Encl. To 1/30
1/30 Ambalamb
Utharapatti
Madurai
658?

4. In view of the subsequent development and in order to maintain peace between the parties, this Court is simply directing the fifth respondent to act as per the following paragraph No.3 of the affidavit:

“3.I most respectfully submit that I am ready to collect tax (Talaikattu Vari) from the petitioner's karai Vellangiyankarai 6th karai people and I am ready



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to give prasatham (Kalanchi) to them.”

5. Both the parties is hereby directed to maintain peace in the village during the course of worship in the temple.

6. With the above direction, this writ petition stands disposed of.
There shall be no order as to costs.

24.11.2023

NCC :Yes/No
Index :Yes/No
Internet :Yes/No
sbn

Note: Issue Order Copy on 03.05.2024



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To
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1. The Superintendent of Police,
Pudukkottai District,
Pudukkottai.
2. The Deputy Superintendent of Police,
Aranthangi,
Pudukkottai District.
3. The Executive Magistrate/Tahsildar,
Aranthangi Police Station,
Pudukkottai District.
4. The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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K.K.RAMAKRISHNAN, J.

sbn

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Dated:24.11.2023