



WP(MD)No.24176 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

**WP(MD)No.24176 of 2023
and
WMP(MD)No.20335 of 2023**

Murugaperumal

... Petitioner

VS.

1.The District Collector,
Thoothukudi District.

2.The Superintendent of Police,
Thoothukudi District.

3.The Revenue Divisional Officer,
Kovilpatti, Thoothukudi District.

4.The Tahsildar, Ottapidaram Taluk,
Thoothukudi District.

5.The Sub Inspector of Police,
Puliyampatti Police Station,
Thoothukudi District.

6.Arivalagan

7.Ayyadurai

... Respondents



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Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order dated 03.10.2022 passed by the 4th respondent vide proceeding in Na.Ka.Aa1/263/2021 and its consequential order passed by the 5th respondent vide proceeding Nil dated 25.09.2023 and quash the same as illegal and consequently direct the respondent No.1, 3 and 4 herein to grant permission and direct the respondent 5 to give adequate protection for conducting Kodai Vizha of Sri Sappani Madasamy and Sri Petchiamman Temple on 10.10.2023 and 11.10.2023 in accordance with law.

For Respondents : Mr.C.Senthil Murugan

Mr.K.Balasubramani,
Special Government Pleader for R1, R3 and R4

Mr.A.Albert James,
Government Advocate for R2 and R5

Mr.Pinay gash for R6

ORDER

Heard both sides.

2.The subject matter pertains to celebration of temple festival. It is stated that the petition-mentioned festival celebration will be in one of the following modes :



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- a) By collecting Vari from 102 pangalis of Sappani Madasamy Kovil.
- b) The festival will be conducted by all the villagers together.

In the second case, Vari will be collected from all the villagers and it will not be confined to 102 pangalis alone. In the year 2020, the festival was conducted by the pangalis. For the subsequent years, the festival in question was not conducted. On account of this dispute as to whether the panglais should conduct the festival or the villagers as a whole should conduct, the festival is not being conducted. Now, there is a consensus that the festival must be conducted. Since on the last occasion, the pangalis have conducted the festival, for the current year, the festival should be conducted by the entire villagers as a whole. It is stated that 17.10.2023 can be the festival date. It appears that the pangalis have already made all the arrangements. That can be made over to the villagers. Next year, the festival will be celebrated by the pangalis (102), because it would be their turn then. Though I have stated that the function will be organised by the villagers this time, 102 pangalis can very well participate. Likewise, the villagers can also participate in the festival to be conducted by the 102 pangalis next year.



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3.The order impugned in this writ petition is accordingly modified. This writ petition is disposed of. No costs. Connected miscellaneous petition is closed.

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Index : Yes / No
Internet : Yes/ No
skm

Issue order copy on 10.10.2023

To

- 1.The District Collector, Thoothukudi District.
- 2.The Superintendent of Police, Thoothukudi District.
- 3.The Revenue Divisional Officer, Kovilpatti, Thoothukudi District.
- 4.The Tahsildar, Ottapidaram Taluk, Thoothukudi District.
- 5.The Sub Inspector of Police, Puliampatti Police Station, Thoothukudi District.



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G.R.SWAMINATHAN, J.

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