

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.01.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.610 of 2015 and M.P.Nos.1 to 3 of 2015

C.Muniappan

...Petitioner

Vs

- 1.The Revenue Divisional Officer,
Sankagiri, Salem District
2. The Tahsildar,
Sankagiri Taluk,
Salem District
3. Inspector of Police
Sankagiri Police Station,
Salem District
4. The Regional Deputy Tahsildar,
Sankagiri Taluk, Salem District
5. Sub-Inspector of Police
Thevur, Sankagiri Taluk,
Salem District
6. P.Muniappan

..Respondents

Prayer : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records in respect of the impugned orders in proceedings No.Na.Ka.1/2014(c) dated 01.07.2014 and proceedings dt. 27.02.2014 on the file of the 1st respondent, viz., Revenue Divisional Officer, Sankagiri relating to Peace Committee conducted in respect of the subject temples viz., Arulmighu Muniappan Temple and Arulmighu Ayyanarappan Temple, situated in K.Mettupalayam, Hamlet of Kaveripatti Agraharam Revenue Village, Kaveripatti Post, Thevar via, Sankagiri Taluk, Salem District and quash the same and consequentially forbear the respondents from interfering with the conduct of regular and periodical poojas by the petitioner in the said temples.

For Petitioner :Mr.R.Neelakandan

For Respondents :Mr.R.Vijayakumar, for R1 to R5
Additional Government Pleader

For R6 No appearance

O R D E R

Heard Mr.R.Neelakandan, learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader appearing for R1 to R5.

2.The grievance of the petitioner is that a peace committee was convened by the 1st respondent on 01.07.2014 and it is stated that the petitioner was not issued any notice and in his absence, the agreement has been arrived at in respect of the temple festival. The petitioner would state that the suit is also pending in O.S.No.144 of 2014 on the file of learned District Munsif, Sankagiri and when the suit was pending, such arrangement could not have been made by the 1st respondent.

3. Admittedly, the peace committee minutes have been recorded on 01.07.2014 and if at all the petitioner seeks exercise his customary right, his remedy lies only before the civil court and the present attempt appears to be only to stall the festival, hence the relief sought for by the petitioner cannot be granted and the Writ Petition is dismissed. However, it is open to the petitioner to pursue his claim in the pending suit. Consequently connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

ssd

To

1.The Revenue Divisional Officer,
Sankagiri, Salem District

2. The Tahsildar,
Sankagiri Taluk,
Salem District

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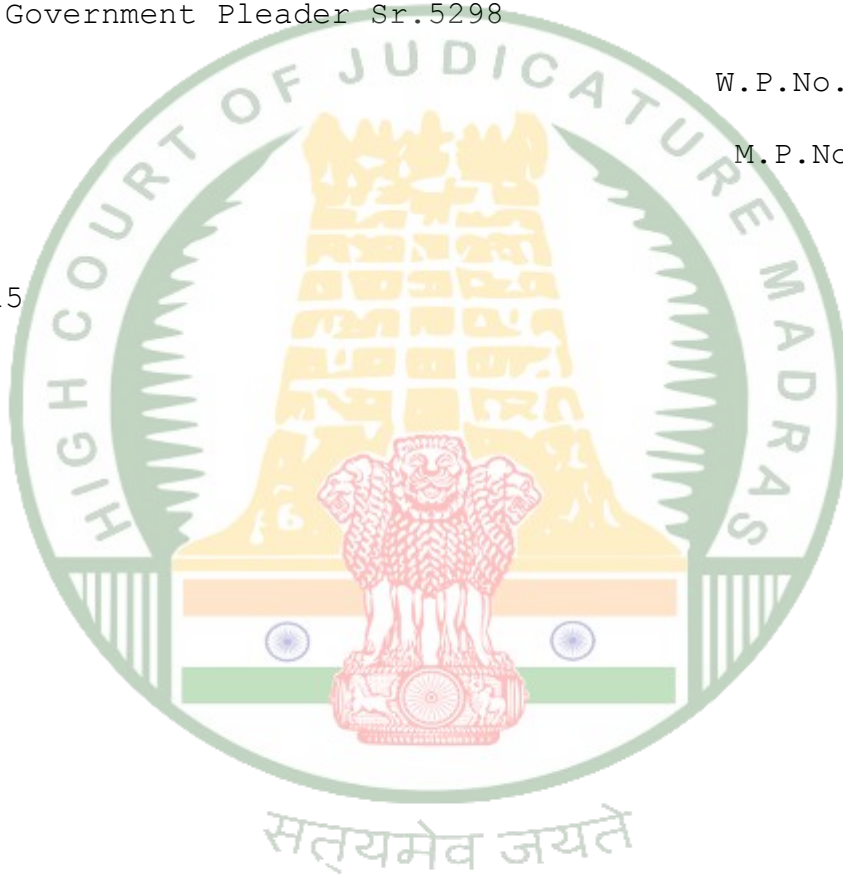
3. Inspector of Police
Sankagiri Police Station,
Salem District
4. The Regional Deputy Tahsildar,
Sankagiri Taluk, Salem District
5. Sub-Inspector of Police
Thevur, Sankagiri Taluk,
Salem District

+ 1 cc to Mr.R. Neelakandan, Advocate SR.4847
+ 1 cc to Government Pleader Sr.5298

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KU (CO)

Eu 13.02.15



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