



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.05.2015

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD)No.8338 of 2015

and

M.P(MD)No.1 of 2015

S.Chandrasekar

... Petitioner

Vs.

1.The Superintendent of Police,
Tiruchirappalli.

2.The Deputy Superintendent of Police,
Musiri,
Trichy District.

3.The Tahsildar,
Musiri, Trichy District.

4.The Sub-Inspector of Police,
Jambunathapuram,
Musiri Taluk,
Trichy District.

5.Muthusamy

... Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to forbear the fifth respondent and the faction of his men from taking the Chinnamariamman deity out of the Temple premises at Perur, but to conduct the festival proposed during the period from 24.05.2015 to 26.05.2015 by keeping the deity inside the Temple premises and pass such further or other orders.

For Petitioner : Mr.V.Singan

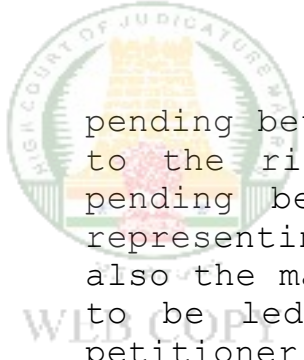
For RR 1 to 4 : Mr.R.Karthikeyan

Additional Government Pleader

ORDER

This Writ Petition has been filed by Mr.S.Chandrasekar under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus, directing the respondents 1 to 4 to forbear the fifth respondent and the faction of his men from taking the Chinnamariamman deity out of the Temple premises at Perur, but to conduct the festival proposed during the period from 24.05.2015 to 26.05.2015 by keeping the deity inside the Temple premises.

2. Mr.V.Singan, learned counsel appearing for the petitioner in support of his prayer, would submit that the Villagers are conducting Mariamman Temple Festival annually as per the Custom and Usage at Perur. Being so, on account of a civil litigation



pending between two factions of Adhi Dravidar Communities relating to the right of pathway in respect of the property, which is pending before the civil Court, the fifth respondent, who is representing a faction, has been trying to vary the customs and also the mamool. When the fifth respondent does not want the deity to be led in a procession as per the custom and mamool, the petitioner and his men are put to great prejudice. Therefore, he has come to this Court seeking the above prayer to direct the respondents 1 to 4 to forbear the fifth respondent and the faction of his men from taking the Chinnamariamman deity out of the Temple premises at Perur, but to conduct the festival proposed during the period from 24.05.2015 to 26.05.2015 by keeping the deity inside the Temple premises.

3. Opposing heavily the above said prayer, the learned Additional Government Pleader would submit that the Writ Petition is liable to be dismissed, since the petitioner, who was a party to the Peace Committee Meeting that has been recorded with an agreement that the deity should not be taken inside the Vivekanandar street, should not allowed to go against the decision of the Peace Committee Meeting. On this basis, he urged this Court to dismiss the Writ Petition. The learned Additional Government Pleader again brought to the notice of this Court that the agreement reached in the said peace Committee Meeting.

4. A reading of the Peace Committee Meeting, dated 16.05.2015 clearly shows that the petitioner has already agreed along with this faction to keep the deity in the Vivekanandar Street. Hence, he can not go against the same. Therefore, this Court is not inclined to entertain the Writ Petition. Accordingly, the Writ Petition fails and the same is dismissed. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

ps/RR

To

1. The Superintendent of Police, Tiruchirappalli.
2. The Deputy Superintendent of Police, Musiri, Trichy District.
3. The Tahsildar, Musiri, Trichy District.
4. The Sub-Inspector of Police,
Jambunathapuram, Musiri Taluk, Trichy District.

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