



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.08.2017

CORAM:

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THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.10783 of 2017
and
W.M.P (MD) .Nos.8199 & 8200 of 2017

Rasu Udaiyar : Petitioner
Vs.

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Tahsildar,
Ilayankudi Taluk,
Sivagangai District.
- 3.The Inspector of Police,
Salaigiramam Police Station,
Salaigiramam,
Ilayankudi Taluk,
Sivagangai District.

4.M.Muniyandi : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari Mandamus, calling for the records pertaining to the impugned order passed by the first respondent in Na.Ka.T1/1225/2017 dated 02.06.2017 quash the same as illegal and consequently direct the respondents one to three to grant permission to conduct Manjuvirattu in the Tamil month of Vaikasi in connection with the temple festival of Arulmigu kalangu Muneeswarar Thirukovil Urchava Festival.

For Petitioner : Mr.R.J.Karthick
For R.1 to R.3 : Mr.T.S.Md.Mohideen
Additional Government Pleader
For Respondent No.4 : Mr.S.Muthalraj



O R D E R

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[Order of the Court was made by G.R.SWAMINATHAN, J.]

The writ petitioner hails from Ayyampatti Village, Salaigiramam Post, Ilayankudi Taluk, Sivagangai District.

2. There are two major communities in the village. One is Udaiyar Community and the other one is Konar Community. The writ petitioner who belongs to udaiyar Community wanted to conduct Manjuvirattu in the village in the Tamil month of Vaikasi in connection with the temple festival of Arulmigu kalangu Muneeswarar Thirukovil Urchava Festival. The District Collector, Sivagangai District, declined to give permission vide Court order dated 02.06.2017 in view of the tension between the two communities.

3. Challenging the said order of rejection dated 02.06.2017 this writ petition has been filed. The writ petitioner had in all fairness added the fourth respondent as a representative of the Konar Community. The learned Counsel appearing for the writ petitioner would contend that the Udaiyar Community would independently conduct the said function and that it is open to the Konar Community to participate people to decide as to whether they would participate in the function or not. If they participate, Udaiyar Community would be happy.

4. The learned counsel for the writ petitioner also submitted that the petitioner would make arrangements on their own for the event in other areas. They would not cause any inconvenience or embarrassment for the Konar Community. The learned counsel would also point out that conducting the function in the month of March may cause inconvenience to the students to pass their examinations. That is why, we have chosen the Tamil month of Vaikasi for hoisting the event.

5. The first respondent has stated in the counter affidavit that if any direction is given by this Court to conduct Peace Committee meeting again to resolve the dispute, the District authority would definitely do it.

6. Taking note of the positive stand taken by the first respondent, this Court directs the first respondent to conduct a fresh Peace Committee meeting and endeavour to resolve the issue. The first respondent is directed to pass an order after considering the matter afresh in the light of the offer made by the Udaiyar Community and pass appropriate orders in accordance with law within a period of three months from the date of receipt of a copy of this order.



7. This Writ Petition is accordingly disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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/True Copy/

Sd/-
Assistant Registrar(CSI)

Sub-Assistant Registrar

To

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Tahsildar,
Ilayankudi Taluk,
Sivagangai District.
- 3.The Inspector of Police,
Salaigiramam Police Station,
Salaigiramam,
Ilayankudi Taluk,
Sivagangai District.

+One cc to M/s.R.J.Karthick, Advocate, SR.No.72787

+One cc to M/s.S.Muthalraj, Advocate, SR.No.73020

tsg
RL/6C/3P/MR/KKR/SAR1/22/11/2017

Order made in
W.P. (MD) No.10783 of 2017
and
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