



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.16535 of 2017

Thiyagarajan

.. Petitioner

Vs.

1.The District Collector,
Sivagangai District.

2.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

3.The Tahsildar,
Thiruppathur Taluk, Sivagangai District.

4.The Superintendent of Police,
Sivagangai District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to give necessary police protection to perform Varushabishekam, on 09.09.2017 in Arulmigu Manicka Nachiamman Temple, Nerkuppai Village, Thirupathur Taluk, Sivagangai District.

For petitioner

: Mr.K.Baalasundharam

For respondents

: Mr.M.Govindan

Special Government Pleader

O R D E R

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

The petitioner filed this Writ Petition to direct the police to give him protection to perform the Varushabishekam on 09.09.2017 in Arulmigu Manicka Nachiamman Temple, Nerkuppai Village, Thirupathur Taluk, Sivagangai District.

2. Mr.M.Govindan, learned Special Government Pleader, on instructions, submitted that there are two factions involved in the conduct of Varushabishekam. The police initiated proceedings under Section 107 of the Code of Criminal Procedure. The Peace Committee Meeting convened by the Revenue Authorities failed.



According to the learned Special Government Pleader, there is a possibility of serious law and order problem in the area, in case permission is granted to perform the Varushabishekam, at the instance of the petitioner.

3. The parties, who are opposing each other for the conduct of Varushabishekam, are not parties to this Writ Petition. It would not be possible for this Court either to adjudicate the issue raised by the petitioner or to direct the police to give him protection for the conduct of Varushabishekam in the absence of proper parties. The petitioner shall take action in his village to settle the matter among the factions. It would not be possible for this Court either to monitor the conduct of Varushabishekam or to direct the police to monitor, in view of the serious dispute among two factions and the prevailing law and order problem in the area. Therefore, we are not in a position to issue a Writ of Mandamus, as prayed for by the petitioner in the Writ Petition. However, we make it clear that this order would not stand in the way of the petitioner approaching the Revenue Divisional Officer to convene the Peace Committee Meeting for the purpose of conducting the Varushabishekam. It is open to the Revenue Divisional Officer to convene the Peace Committee Meeting for the purpose of resolving the dispute relating to the performance of Varushabishekam.

4. The Writ Petition is disposed of with the above observation. No costs.

Sd/-

Assistant Registrar(Crl side)

/True copy/

Sub Assistant Registrar

To:

1.The District Collector,
Sivagangai District.

2.The Revenue Divisional Officer,
Devakottai, Sivagangai District.

3.The Tahsildar,
Thiruppathur Taluk, Sivagangai District.

4.The Superintendent of Police,
Sivagangai District.

+1cc to M/S.Special Government Pleader,SR. 76229

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