



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 08.09.2017
CORAM

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

W.P. (MD) .No.17024 of 2017

Paridhivendhan

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Sivagangai, Sivagangai District.

2.The Thasildar, Kalaiyarkoil Taluk Office,
Sivagangai District.

3.The Deputy Superintendent of Police,
Manamadurai, Sivagangai District.

4.The Inspector of Police,
Manamadurai Police Station,
Manamadurai, Sivagangai District.

... Respondents

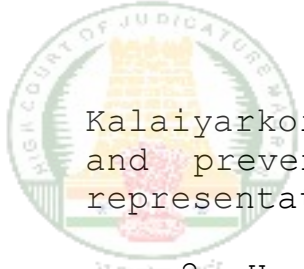
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents do not permit one of the community people of petitioner's village to conduct the "Drama" with regard to celebration of "Maha Kumbapisekam" to "Sri Arulmighu Vetrivalampuri Vinayagar" temple, situated at Velani Village, Kalaiyarkoil Taluk, Sivagangai District, scheduled on 10.09.2017 and preventing law and order problem based on petitioner's representation, dated 05.09.2017.

For Petitioner : Mr.G.Gomathi Sankar

For Respondents : Mr.S.Sadhish Kumar,
Additional Government Pleader.
Mr.V.Kannan,
represented the Committee of
"Sri Arulmighu Vetrivalampuri
Vinayagar" temple,
Velani Village, Kalaiyarkoil Taluk,
Sivagangai District.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus, directing the respondents not to permit one of the community people of petitioner's village to conduct the "Drama" with regard to celebration of "Maha Kumbapisekam" to "Sri Arulmighu Vetrivalampuri Vinayagar" temple, situated at Velani Village,



Kalaiyarkoil Taluk, Sivagangai District, scheduled on 10.09.2017 and preventing law and order problem based on petitioner's representation, dated 05.09.2017.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. The grievance of the petitioner is that "Sri Arulmighu Vetrivalampuri Vinayagar" temple was constructed about 10 years back and that all community people living in this village are worshipping. It is stated that this temple belongs to all the community people who are living in the village. Though the temple festival, namely, "Maha Kumbapisekam" to "Sri Arulmighu Vetrivalampuri Vinayagar" temple is organized by collecting "Thalaikattu Vari" from all the village people irrespective of caste and community, the "Drama" is organized by a particular community so as to show their domination by singing their own community songs during the performance of such "Drama". It is therefore the petitioner has raised an objection so that there will not be any law and order problem due to communal issues.

4. The learned Additional Government Pleader appearing for the respondents, however opposed this Writ petition mainly on the ground that the petitioner himself belongs to the same community and that the petitioner has come up by way of this Writ petition only due to the dispute he had with his own father in law who is one of the community leader.

5. However, this statement is denied by the learned counsel for the petitioner stating that the petitioner belongs to some other community. The question whether the petitioner belongs to the same community or a different community, is not a matter which is relevant at this moment. Even if the petitioner belongs to the same community, this Court for the purpose of maintaining communal harmony can appreciate the petitioner for coming up with the prayer which is sought for in the Writ petition.

6. Mr.V.Kannan, learned counsel submitted that he was representing the Temple Committee and further submitted that all arrangements have already been made for the conduct of the "Drama" on 10.09.2017 and that any order preventing the event will affect the sentiments of the villagers who are unanimously decided to conduct the "Drama". He also indicates that the "Drama" will be conducted subject to any stringent conditions that may be imposed by this Court or by the respondent police so as to prevent law and order problem.

7. It is in these circumstances, this Court is inclined to pass the following order:-

" i) The Deputy Superintendent of Police, Manamadurai, Sivagangai District/third respondent herein is



directed to consider the representation of the petitioner, dated 05.09.2017, on or before 09.09.2017 and may grant permission for conduct of the "Drama" in connection with celebration of "Maha Kumbapisekam" to "Sri Arulmighu Vetrivalampuri Vinayagar" temple, at Velani Village, Kalaiyarkoil Taluk, Sivagangai District, scheduled to be held on 10.09.2017, subject to any other condition which would protect the interest of any other community living in the same village without giving any room for any communal issues.

ii) The performance of the "Drama" that is proposed to be conducted shall be completed peacefully, without artificially including any scene or song against any particular community.

iii) No song or script affecting the communal harmony of the village shall be allowed.

iv) No Flex Boards representing any community or communal leader shall be permitted during the festival.

v) It is also open to the third respondent to put any other reasonable restrictions so as to ensure public order and communal harmony."

8. With the above direction, the Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.
2. The Thasildar,
Kalaiyarkoil Taluk Office,
Sivagangai District.
3. The Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.
4. The Inspector of Police,
Manamadurai Police Station,
Manamadurai,
Sivagangai District.

+1cc to Mr.V.KANNAN, Advocate, SR.77565

+1CC to Mr.G.Gomathi Sankar, Advocate, SR.No. 77526

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