



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2017

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THE HON'BLE MR.JUSTICE P.N.PRAKASH

W.P.(MD) No.4194 of 2017
& WMP (MD) Nos.3344 & 3345/2017

K.M.Meiyathan Ambalam

... Petitioner

-vs-

1. The Tahsildar,
Office of the Tahsildar,
Thirumayam Taluk,
Pudhukottai District.

2. The Inspector of Police,
K.Pudhupatty Police Station,
Thirumayam Taluk,
Pudhukottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 1st respondent in Na.Ka.No.1483/2017/A3 dated 27.02.2017, prohibiting the conduct of Kaman Thiruvizha at A/M Kamarasa Temple (Manmathan Temple) & Mariamman Temple, K.Rayapuram Village, Thirumayam Taluk, Pudhukottai District and to quash the same and pass such further or other orders as this Honble Court.

For Petitioner : Mr.V.S.Kishok Kumar

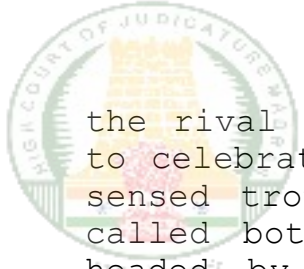
For Respondents : Mr.T.S.Mohammed Mohideen,
Addl. Govt. Pleader

O R D E R

This petition has been filed, seeking to quash the impugned order passed by the 1st respondent in Na.Ka.No.1483/2017/A3 dated 27.02.2017, prohibiting the conduct of Kaman Thiruvizha at A/M Kamarasa Temple (Manmathan Temple) & Mariamman Temple, K.Rayapuram Village, Thirumayam Taluk, Pudhukottai District.

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

3. It appears that there are two factions in K.Rayapuram Village, one headed by Meiyathan Ambalam / petitioner herein and



the rival faction is headed by one Kanthaiah. Both factions wanted to celebrate Kaman festival on 28.02.2017. Since the Administration sensed trouble, the Tahsildar-cum-Executive Magistrate, Thirumayam called both factions for peace talks on 27.02.2017. The faction headed by the petitioner boycotted the talks, but whereas the faction headed by Kanthaiah participated in the talks. Since the petitioner's faction did not attend the peace talks, the Tahsildar has passed the impugned order dated 27.02.2017, prohibiting both factions from celebrating the festival. In the impugned order, it is also stated that when similar permission was given to both factions for conducting the Sri Abimanagatha Ayyanar Temple Kumbabishekam on 11.06.2016, violence broke and two cases in Crime Nos.103 and 104 of 2016 under Section 107 Cr.P.C. were registered.

4. Under such circumstances, this Court does not find any infirmity in the order dated 27.02.2017, passed by the Tahsildar-cum-Executive Magistrate, warranting interference by this Court. Law and order is an issue, that has to be decided by the authorities at the ground level and it is not for this Court to sit in judgment over their objective perceptions. However, the petitioner is directed to appear before the Tahsildar-cum-Executive Magistrate, Thirumayam and participate in the talks. If the Tahsildar is able to bring about amicable settlement between two factions, he may pass further orders accordingly.

With the above direction, this petition is closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub-Assistant Registrar

To:

1. The Tahsildar,
Office of the Tahsildar,
Thirumayam Taluk,
Pudhukottai District.
2. The Inspector of Police,
K.Pudhupatty Police Station,
Thirumayam Taluk,
Pudhukottai District.

+1 CC TO SPECIAL GOVERNMENT PLEADER, SR NO.14729

+1 CC TO MR.J.GUNASEELAN MUTHIAH, ADVOCATE, SR NO:14540

MAS/SV-MMS:23.03.2017:2P-5C

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