



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2017

CORAM

WEB COPY

THE HONOURABLE DR.JUSTICE A.M.BASHEER AHAMED

W.P. (MD) No.8555 of 2017

R.James

... Petitioner

vs.

1.The Superintendent of Police,
Dindigul District,
Dindigul.

2.The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to grant permission and adequate protection to conduct festival from 28.04.2017 to 30.04.2017 at St.Thomaiyar Shrine situated in the hillock of Thomaiyarpuram village, Dindigul District.

For Petitioner	: Mr.A.John Vincent
For Respondents	: Mr.T.S.Mohammed Mohideen,
R1 and R2	Additional Government Pleader.

O R D E R

The learned counsel for the petitioner is present. The Additional Government Pleader takes notice for the respondents herein.

2.The learned counsel for the petitioner states that St. Thomaiyar Shrine situated in the hillock of Thomaiyarpuram Village, Dindugul District and the festival to be looked after by Sirunayakkanpatti village people and where as, the affairs of St.Antony Church in Thomaiyarpuram is to be taken care of by Thomaiyarpuram Village people. The one Mr. Anthosh Kinner is the ~~Services must be given to these~~ of Thomaiyarpuram. Both villagers belonging to the same religion are fighting each other in conducting their religious festival.



3. There was a peace meeting convened in the office of Thasildar, Dindugul East on 03.04.2016 and in the presence of the Police Officials and Revenue Officials and also the said Mr. Anthosh Kinner, "oor nattamai" of the Thomaiyarpuram and consensus was arrived and accepted by both parties that the festival at St. Thomayar Shrine will be conducted by Sirunayakkanpatty villagers according to the previous year celebration.

4. The festival went off peacefully in the year 2016 without any trouble. At present, Anthosh Kinner filed a suit in O.S.No.202 of 2017 before the Additional District Munsif, Dindugul and prayed for injunction in I.A.No.682 of 2017 and no orders passed upon the petition. The petitioner has not chosen to file the copy of the plaint or affidavit of the said petition. All the arrangements were made by the petitioner for conducting the festival in respect of the festival at St. Thomayar Shrine, Thomaiyarpuram and while things being so, the second respondent and the Deputy Superintendent of Police refused to give permission to conduct the festival and orally informed that there is civil case pending.

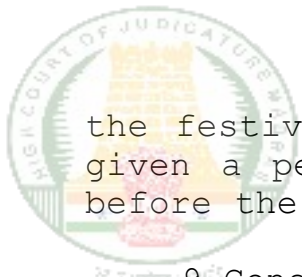
5. Hence the petitioner as village head representing the Christian Vanniar people of Sirunayakkanpatty village filed this writ petition, directing the respondents to grant permission and adequate protection to conduct festival from 28.04.2017 to 30.04.2017 at St. Thomaiyar Shrine situated in the hillock of Thomaiyarpuram village, Dindigul district excluding the rivals. The rival people is not impleaded in this Writ Petition, since a Civil suit is pending.

6. The Additional Government Pleader appearing for the respondents states that there are two groups, one is Christian Vanniyar and other Christian Dalith and they have made rival claim for conducting the festival. If both are allowed to conduct the festival, there will be a law and order problem in the said village and this Court would pass an order to conduct a Peace Committee with the members of the both community to sort out the remedy in respect of the conduct of the festival as convened in the last year.

7. Records produced by the petitioner, is perused. The festival was conducted in the year 2016 also by the petitioner herein as per decisions taken in the Peace Committee. The said Anthosh Kinner, "oor nattamai" of the Thomaiyarpuram representing the Christian Dalith people has also participated in the Peace Committee and both parties accepted the decision that the festival would be conducted by the Sirunayakkanpatty villagers according to the previous year celebration.

<https://hcservices.ecourts.gov.in/hcservices/>

8. The learned Additional Government Pleader states that Christian Vanniyar has given a petition in respect of conducting



the festival in CSR No.282 of 2017 and Christian Dalith has also given a petition in CSR No.283 of 2017 and the same is pending before the second respondent.

9.Considering the above facts and circumstances of the case and in the earlier year also the festival was conducted by the petitioner herein as consensus arrived in the Peace Committee, this Court directs the respondents to conduct a peace committee through Thasildar and find out a peaceful solution to conduct the festival between the 'A' Party and 'B' Party in this case by today itself.

10.In order to maintain the law and order problem in the village, the both groups will have to accept the decision taken in the peace committee for conducting the festival peacefully and the respondents are directed to maintain peace in the village by giving sufficient police protection to implement the decision taken in the Peace Committee. Both parties / groups are directed to sort out their claim in the pending civil suit.

With the above observations, this Writ Petition is disposed of accordingly.

Sd/-

Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar

To

1.The Superintendent of Police,
Dindigul District,
Dindigul.

2.The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul.

+One cc to Mr.A.John Vincent, Advocate, SR.No.21794

GK/MYR

RL/4C/3P/MR/9.5.2017

W.P. (MD) No.8555 of 2017



WEB COPY