



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 11.05.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

and

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P(MD)No.8808 of 2017

N.T.Varadharaja Perumal Gounder

... Petitioner

vs.

The Inspector of Police,
Manaparai Police Station,
Trichy District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to grant permission to conduct the temple festival namely Mahakumbabisekam from 13.05.2017 to 15.05.2017 at Arulmigu Sri Ellupillai Mariamman Kovil and Vinayagar Kovil is situated at Sooliyapatti, Anampatti Post, Manaparai Taluk, Trichy District and to provide adequate police protection based on the petitioner's representation dated 06.05.2017.

For Petitioner

: Mr.M.Murugesan

For Respondent

: Mr.V.Muruganantham

Additional Government Pleader.

O R D E R

[Order of the Court was made by T.RAJA, J.]

Heard Mr.M.Murugesan, counsel for the petitioner and Mr.V.Muruganantham, Additional Government Pleader appearing for the respondent.

2. By consent of both sides, the writ petition is taken up for final hearing at the admission stage itself.

3. Mr.N.T.Varadharaja Perumal Gounder, being the resident of Sooliyapatti Village, Anampatti Post, has filed this Writ Petition seeking for issuance of a Writ of Mandamus, directing the respondent to grant permission to conduct Temple festival, namely, Mahakumbabisekam from 13.05.2017 to 15.05.2017 at Arulmigu Sri Ellupillai Mariamman Kovil and Vinayagar Kovil situated at Sooliyapatti, Anampatti Post, Manaparai Taluk, Trichy District and to provide adequate police protection, based on his representation dated 06.05.2017.



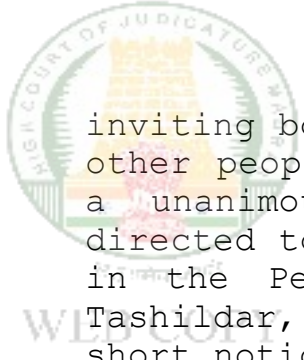
4. It is stated before us that the petitioner, being one of the villagers residing in Sooliyapatti village, in consultation with all other residents, has decided to celebrate Mahakumbhabhisekam in the aforementioned temples and at the time of celebrating Kumbhabhisekam, they have also decided to conduct the cultural programmes remembering the cultural heritage and village and a Committee has also been constituted to conduct the festival peacefully. In this regard, they have given a representation through Registered Post on 06.05.2017 to the respondent seeking permission for conducting both Kumbhabhisekam and police protection from 13.05.2017 to 15.05.2017. But, till date finding no response from the respondent, they have been advised to come to this Court with the aforesaid prayer.

5. The learned counsel for the petitioner, in the above background, would submit that since the Kumbabisekam of these two temples, situated in the afore mentioned Village, is conducted once in 12 years, the present decision to consecrate the Temple Kumbabisekam cannot be ignored by the respondent by keeping the representation in the cold storage. Concluding his argument, he would submit that the petitioner is prepared to abide by any stringent conditions, if the respondent is of the view that conducting the afore mentioned Kumbabisekam would create any untoward incident.

6. In reply, the learned Additional Government Pleader appearing for the respondent, by heavily opposing the above prayer, submitted that when two groups of the villagers are not in good terms and they are on the logger heads, creating public nuisance and also law and order problem, a case has been registered in Crime No.379/2017 under Section 107 of Cr.P.C. on 06.05.2017, now, the respondent, taking note of the further development pursuant to the registration of the FIR, has decided to hold a peace committee meeting, in which, both parties would be invited to give their suggestions, based on which, a decision would be taken in the Peace Committee meeting.

7. When this is the state of affairs, the Writ Petition, being premature, is liable to be dismissed. Since the petitioner has come forward to celebrate the Kumbabhishekam, which is being done once in 12 years and considering the desire of the villagers, the respondent has also opined that a Peace Committee should be held for the purpose of celebrating the Kumbabhishekam of the afore mentioned two temples in the village, we deem it appropriate to give a direction to the Tahsildar, Manapparai Taluk, Trichy.

8. In view of the above, since the invitation has been printed and sent to the villagers, and since the Kumbabhishekam, we direct the Tahsildar, Manapparai Taluk, Trichy, to conduct a peace committee meeting, by



inviting both parties mentioned in the FIR and in addition thereto other people, whomsoever, wanted to include them and after taking a unanimous decision, the petitioner and the villagers are directed to proceed on the basis of the decision going to be taken in the Peace Committee meeting. It is made clear that the Tashildar, Manapparai Taluk, shall invite all the people by giving short notice.

9.. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Vacation Officer,
Assistant Registrar

/True Copy/

Sub Assistant Registrar.

To

1 The Tahsildar,
Manapparai Taluk, Trichy.

2 The Inspector of Police,
Manapparai Police Station,
Trichy District.

+1CC to M/S.M.Murugesan, Advocate, SR.No. 56258

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