

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2018

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.10010 of 2012

K.Duraisamy

.. Petitioner

Versus

1. The District Collector,
Perambalur District.
 2. The Revenue Divisional Officer,
Perambalur District.
 3. The Superintendent of Police
Perambalur District.
- .. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to consider the representation dated 12.03.2012 within a time frame to be fixed by this Court.

For Petitioner :: No appearance

For Respondents :: Mrs.A.Sri Jeyanthi,
Special Government Pleader

O R D E R

The Writ petition had been filed seeking a Mandamus to direct the 1st respondent namely the District Collector, Perambalur District to consider the representation dated 12.03.2012 and pass orders.

2. The Writ petition had been filed by the Head of the Kannappadi Village in Perambalur District. It had been stated that during April, they conduct a temple festival for the deity Mariyamman. During the festival they also conduct a rabbit

hunting festival. Similar festival is conducted in the adjacent Nathakkadu Village. It is stated that the village people of Nathakkadu had misbehaved with the village people of Kannapadi Village. It had been stated that consequently there is possibility of violence being inflicted during the conducting of the festival. It is under these circumstances, that the writ petitioner had given a representation dated 12.03.2012 to the Collector Perambalur District.

3. In the counter affidavit filed by the 2nd respondent namely the Revenue Divisional Officer, Perambalur District, it had been stated that in the month of April, the village festival is conducted and there were disturbances between the people of Kannappadi village and the people of Nathakkadu village. A case was registered in Padalur Police Station, under Section 107 of CrPC on 25.04.2011 with respect to the incident which occurred on 17.04.2011. It had been stated that the parties did not come to amicable solution and as on the date of filing the counter in the year 2012, the authorities were trying to bring an amicable solution. It had been stated that though the petitioner and the villagers are celebrating festivals, an untoward incident happened on 17.04.2011. The complaint had also been taken on file by the Revenue Divisional Officer and Sub Divisional Magistrate, Perambalur, as MC.No.1 of 2011. It had been stated that no permission has been given either by the Police officials or by the Revenue Authorities to conduct Rabbit hunting festival in Nathakkadu or Kannappadi village.

4. I have examined the papers. It is clear that though festival has to be celebrated for village deity, it should be done in a peaceful manner. It is the grievance of the petitioner that he belongs to Kannappadi village and during the festival on 17.04.2011, the people of the adjacent village namely Nathakkadu village, teased the women folk and created disturbances. This cannot be permitted to happen. This has to be prevented.

5. The 2nd respondent had filed a counter affidavit stating that neither the Police nor the Revenue officials have granted permission to conduct the rabbit hunting festival. As a matter of fact, a case has been registered under Section 107 of CrPC, for breach of public peace. The Sub Divisional Magistrate had also taken that complaint on file as MC.No.1 of 2011.

6. It is also seen that both the village people are not inclined to compromise the issue. Once there is a tendency to bring about violence, the Court cannot be a medium to encourage any of such activities. Consequently, the writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

msvm/vkr

To

1. The District Collector,
Perambalur District.
2. The Revenue Divisional Officer,
Perambalur District.
3. The Superintendent of Police,
Perambalur District.

+1 cc to The Government Pleader, Sr.No.79559

+1 cc to M/s.D.Veera Kumar, Advocate Sr.No.79486

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SJ(CO)
CSL/24.01.2019

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