



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.18309 of 2018

R.Pandiaraj

: Petitioner

Vs.

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Revenue Divisional Officer,
Sivagangai District, Sivagangai.
- 3.The Tahsildar,
Mana Madurai Taluka,
Mana Madurai,
Sivagangai District.
- 4.The Superintendent of Police,
Sivagangai District, Sivagangai.
- 5.The Inspector of Police,
Poovanthi, Mana Madurai Taluka,
Sivagangai District.
- 6.The Sub Inspector of Police,
Palayanur Police Station,
Mana Madurai Taluka,
Sivagangai District.
- 7.Sakthi
- 8.Krishnasamy

: Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus, directing the respondents to take suitable action and ensure peace and security to perform Mulaipari Utchavam on or before 5th day of Tamil Month ie 21.08.2018 at Arulmigu Muthu Mariamman Temple, Vilathur, Mana Madurai Taluka, by completing painting works and other renovation works based on representations dated 13.08.2018 according to law.

For Petitioner
For R1 to R6

: Mr.S.Muthalraj
: M/s.B.Bhagawathi
Government Advocate

ORDER

This Writ Petition has been filed for a direction to the respondents to ensure peace and security to perform Mulaipari Utchavam at Arulmigu Muthu Mariamman Temple, Vilathur Village.

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2.It is seen from the records that there is on going dispute between the petitioner and the seventh and eighth respondents. Both the parties attended the peace committee meeting, which was conducted by the Tahsildar, Mana Madurai. In the said meeting, since no settlement was arrived at between the parties, the Tahsildar recorded that the festival can be conducted after both parties settled their dispute amicably themselves.

3.The learned Government Advocate on instructions would submit that even last year also this festival was conducted and a group clash arose between the parties, which resulted in the registration of First Information Report and the same is pending in Crime nos.78 and 79 of 2018. Therefore, he submitted that permitting the festival will cause law and order problem.

4.This Court has carefully considered the submissions made on either side and has also perused the available records.

5.The on going dispute between the parties is yet to be resolved and already a violence has ensued last year and FIR has been registered on the basis of complaint given by both sides. This Court finds that conclusion that has been arrived at by the Tahsildar is correct and the parties can conduct the festival after they reach settlement and a peaceful atmosphere is ensured.

6.For the reasons stated above, this Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1.The District Collector,
Sivagangai District,
Sivagangai.

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

3.The Tahsildar,
Mana Madurai Taluka,
Mana Madurai,
Sivagangai District.



4.The Superintendent of Police,
Sivagangai District, Sivagangai.

5.The Inspector of Police,
Poovanthi, Mana Madurai Taluka,
Sivagangai District.

6.The Sub Inspector of Police,
Palayanur Police Station,
Mana Madurai Taluka,
Sivagangai District.

+1CC to Mr.S.Muthalraj Advocate in Sr.No.80354.

+1CC to Special Government pleader in Sr.No.80644.

GNS

DS SKN SAR-4 ;31.08.2018; 3P/9C

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