



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2018

CORAM:

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THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.21362 of 2018

Aathimuthan

... Petitioner

-Vs-

1.The District Collector,
Virudhunagar District.

2.The Revenue Divisional Officer,
Aruppukkottai,
Virudhunagar District.

3.The Superintendent of Police,
Virudhunagar District.

4.The Inspector of Police,
Narikudi Police Station,
Virudhunagar District.

5.Boominathan

6.Subramanian

7.Kandasamy

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondents 1 to 4 to take appropriate action against the respondents 5 to 7 and give protection to the petitioner and his community people for participating in the Sri Thathuva Nachiamman Temple festival to be held on 16.10.2018 and 17.10.2018 Panaikudi Village, Thiruchuli Taluk, Virudhunagar District.

For Petitioner : Mr.B.Jeyakumar

For Respondents : Mr.B.Bhagawathi, for R1 to R4
Government Advocate (Crl. Side)

ORDER



and his community people for participating in the temple festival to be held on 16.10.2018 and 17.10.2018.

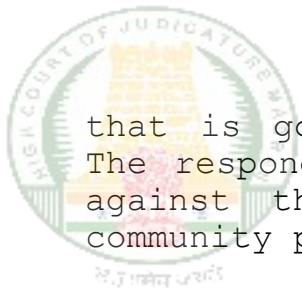
2.The learned counsel for the petitioner would submit that the petitioners belonged to Scheduled Castes community and they were prevented from participating in the festival in the previous years. It also resulted in the registration of F.I.R by the respondent police. Therefore, this year, the respondent police decided to refer the matter to the Tahsildar, Thiruchuli, to conduct the peace committee meeting. This Court also passed an order in W.P.(MD).No.20923 of 2018, on 05.10.2018, directing the Tahsildar, to call the parties and conduct the peace committee meeting and come to a conclusion with regard to the conducting of the temple festival.

3.The learned Government Advocate would submit that the peace committee meeting was conducted on 10.10.2018, in the office of the Tahsildar, Thiruchuli. The petitioner who has now filed this writ petition also participated in the said meeting. An agreement was arrived at during the meeting between the parties. Based on the decision taken in the peace committee meeting, the fourth respondent police have also by his proceedings, dated 11.10.2018, imposed conditions with regard to the conducting of the festival and with regard to the participation of all the persons belonging to the village. Therefore, the learned Government Advocate would submit that permission was already been granted by the Tahsildar, as well as the police permitting all the persons belonging to the Village to participate in the festival.

4.The learned counsel for the petitioner would submit that even though such permission has been granted, there is a lurking apprehension in the mind of the petitioner and his community people that they will not be allowed to participate in the festival. Therefore, left with no other option, this writ petition has been filed before this Court.

5.In view of the decision that has already been arrived at before the Tahsildar, Thiruchuli, all the parties will be permitted to participate in the festival. The fourth respondent police has also taken note of this fact and has imposed various conditions by proceedings, dated 11.10.2018. Therefore, this Court is convinced that the authorities have already taken a categorical decision to permit all the persons belonging to the village, irrespective of their caste and creed, to participate in the festival.

6.Accordingly, this Writ Petition is disposed of with the direction to the fourth respondent to ensure that the decision arrived at in the peace committee meeting on 10.10.2018 is carried out in letter and spirit and all the persons belonging to the village are permitted to participate in the festival



that is going to be conducted on 16.10.2018 and 17.10.2018. The respondent police is also further directed to take action against those persons who prevent the petitioner and his community people from participating in the festival. No costs.

Sd/-

Assistant Registrar(C.O)

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/True Copy/

Sub Assistant Registrar(CS-I)

TM

To

- 1.The District Collector,
Virudhunagar District.
- 2.The Revenue Divisional Officer, Aruppukkottai,
Virudhunagar District.
- 3.The Superintendent of Police,
Virudhunagar District.
- 4.The Inspector of Police, Narikudi Police Station,
Virudhunagar District.

+1cc to Special Government Pleader, SR No.90808

W.P. (MD) No.21362 of 2018

NM/RSK/SAR I/15.10.18/3P/6C