



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.09.2018

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.19072 of 2018

V.Ravi

... Petitioner

Vs.

1. The Revenue Divisional Officer
Palani
Dindigul District

2. The Tahsildhar
Vedasandur
Dindigul District

3. The Deputy Superintendent of Police
Vedasandur
Dindigul District

4. The Inspector of Police
Kujiliyamparai Police Station
Dindigul District

5. P.Muthusamy

6. Kannan

7. Palaniappan

...Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 3 herein to give permission to conduct the temple festival and give necessary police protection to the petitioner for conducting temple festival of Sri Kaliyamman and Sri Pambalamman temple situated at Kachakaranpatti, Palayam Post, Vedasandur Taluk, Dindigul District based on the petitioner's representation dated 14.08.2018.

For Petitioner : Mr.G.Gomathi Sankar

For Respondents : Mr.B.Bhagawathi

Government Advocate

O R D E R

The prayer in the writ petition is for issuance of a writ of mandamus directing the respondents to give permission to conduct the temple festival and give necessary police protection for conducting temple festival.

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2. It is seen from records that there is dispute pending between the parties. The dispute is pending before the Civil court in O.S.No.52 of 2018 in which the main issue involved is with regard to the right over the temple.

3. The parties were called before the second respondent and after hearing both parties, the second respondent by his proceedings dated 19.07.2018 directed both the parties not to go into the temple till final decision is arrived at in the suit. If at this stage if any of the parties are given permission to conduct the temple festival, it will unnecessarily lead to law and order problems.

4. The learned counsel for the petitioner would submit that after the rejection of the permission by the Tahsildhar, the petitioner has made a representation before the Revenue Divisional Officer, Palani. It is for the petitioner to persue his representation before the Revenue Divisional Officer.

5. Since the respective right between the parties is pending by way suit before the appropriate court, the revenue authorities will not be in a position to grant any permission since it will unnecessarily give rise to law and order problems.

6. This Court does not find any merits in the writ petition. It is left open to the parties to fight for their rights before the civil Court and after the civil court comes to the conclusion, the parties are at liberty to conduct festival after getting permission from the appropriate authorities.

7. The Writ petition is dismissed accordingly.

Sd/-

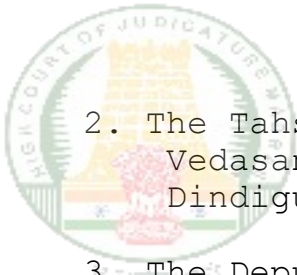
Assistant Registrar(Crl.side)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The Revenue Divisional Officer
Palani
Dindigul District



2. The Tahsildhar
Vedasandur
Dindigul District

3. The Deputy Superintendent of Police
Vedasandur Taluk
Dindigul District

4. The Inspector of Police
Kujiliyamparai Police Station
Dindigul District

+1CC TO MR.G.GOMATHI SANKAR, ADVOCATE IN SR.NO.82020.

+1CC TO THE SPECIAL GOVERNMENT PLEADER IN SR.NO.82187.

AAV

DS PM SAR-2 10.10.2018 3P/7C

W.P. (MD) No.19072 of 2018