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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 24.01.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.A(MD)Nos.829 and 830 of 2013

and

M.P(MD)Nos.2 and 3 of 2013

W.A(MD)No.829 of 2013:

N.Kusalavan

.. Appellant/Proposed 5th Respondent

Vs.

1.M.Gopalakrishnan

.. 1st Respondent/ Writ Petitioner

2.The District Collector,
Madurai Collectorate,
Madurai-20.

3.The Superintendent of Police,
O/o. Superintendent of Police,
Madurai District,
Madurai.

4.The Inspector of Police,
Melur Police Station,
Melur Post,
Madurai District.

5.The Tahsildar,
Melur Taluk,
Madurai District.

.. Respondents / Respondents
2 to 5 1 to 4

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent against the order, dated 26.07.2013 made in W.P(MD)No.12126 of 2013 and M.P(MD)Nos.1 and 2 of 2013 by the learned Judge.

Prayer in WP(MD). 12126/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari or any other appropriate writ or order or direction in the nature of writ calling for the records in pursuant to the impugned order passed by the 4th Respondent vide proceedings Ref. Na.Ka.No. 582/2012/A2 dated 24.07.2013 and quash the same.



For Appellant

: Mr.A.Thirumurthy
for M/s.Victory AssociatesFor 1st Respondent: Mr.Niranjana S.Kumar
for Mr.V.Balaji

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For Respondents 2 to 5 : Mr.C.M.Mari Chelliah Prabhu,
Additional Government Pleader.W.A(MD)No.830 of 2013:

- 1.Periyakaruppan
- 2.Subbiah
- 3.S.Anvar Beig

.. Appellants

Vs.

- 1.M.Gopalakrishnan

.. 1st Respondent/ Writ Petitioner

- 2.The District Collector,
Madurai Collectorate,
Madurai-20.

- 3.The Superintendent of Police,
O/o. Superintendent of Police,
Madurai District,
Madurai.

- 4.The Inspector of Police,
Melur Police Station,
Melur Post,
Madurai District.

- 5.The Tahsildar,
Melur Taluk,
Madurai District.

.. Respondents / Respondents
2 to 5 1 to 4

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent against the order, dated 26.07.2013, made in W.P(MD)No.12126 of 2013 by the learned Judge.

Prayer in WP(MD). 12126/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari or any other appropriate writ or order or direction in the nature of writ calling for the records in pursuant to the impugned order passed by the 4th Respondent vide proceedings Ref. Na.Ra.No: 362/2012/A2 dated 24.07.2013 and quash the same.



For Appellants : No appearance

For 1st Respondent : Mr.Niranjan S.Kumar
for Mr.V.Balaji

For Respondents 2 to 5 : Mr.C.M.Mari Chelliah Prabhu,
Additional Government Pleader.

C O M M O N J U D G M E N T

[Common Judgment of the Court was delivered by M.SATHYANARAYANAN,
J.]

The matter-in-issue pertains to celebration of 'Aadi festival', during the year 2013 and the learned Judge, vide impugned order, dated 26.07.2013, made in W.P(MD)No.12126 of 2013, has given the following directions:

'6.Without going into the rights of the parties and the practise being followed, in view of the fact that the festival is to be conducted on 29.07.2013 and 30.07.2013, this Court directs the authorities to give proper protection for the intervenor group to conduct the festival on 29.07.2013 and 30.07.2013.

7.Similarly, it is open to the petitioner and his group to conduct the festival on 05.08.2013 and 06.08.2013 in a peaceful manner. For the said festival also, the authorities are directed to give proper protection. It is open to the petitioner to conduct the festival without giving any honour to anybody and they can celebrate the festival as per the wishes of the people concerned.

8.It is made clear that the petitioner and his group should not take part and disturb the celebration to be conducted by the intervenor on 29.07.2013 and 30.07.2013. Similarly, the intervenor and his group also should not obstruct and disturb the celebration of the festival to be conducted by the petitioner on 05.08.2013 and 06.08.2013''.

2.It is represented that the function during that year went off peacefully. In the considered opinion of this Court, the order has worked out itself and therefore, nothing further remains for adjudication, as of now. Therefore, these writ appeals are dismissed as infructuous. No costs. Consequently, M.P(MD)Nos.2 and 3 of 2013 are dismissed.

Sd/-

Assistant Registrar(CSIII)



To

1.The District Collector,
Madurai Collectorate,
Madurai-20.

2.The Superintendent of Police,
O/o. Superintendent of Police,
Madurai District,
Madurai.

3.The Inspector of Police,
Melur Police Station,
Melur Post,
Madurai District.

4.The Tahsildar,
Melur Taluk,
Madurai District.

+One cc to Mr.A.Thirumurthy, Advocate, SR.No.43868

+One cc to Mr.V.Ramakrishnan, Advocate, SR.No.44396

+One cc to Mr.Niranjan S.Kumar, Advocate, SR.No.44262

vsg/smn

RL/8C/4P/SV/MMS/SAR4/7/2/2018

COMMON JUDGMENT MADE IN
W.A(MD)Nos.829 and 830 of 2013
and
M.P(MD)Nos.2 and 3 of 2013

24.01.2018