

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.09.2019

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.26922 of 2019

R.Arumugam

... Petitioner

Versus

1. The District Collector,
O/o. The District Collector,
Villupuram.
2. The Superintendent of Police,
Villupuram District,
Villupuram.
3. The Revenue Divisional Officer,
Kallakurichi,
Villupuram District.
4. The Tahsildar,
Chinnasalem,
Villupuram District.
5. The Inspector of Police,
Chinnasalem Police Station,
Villupuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus or any other Writ or order or direction in the nature of Writ directing the first respondent to grant permission to take the idols from the Pandiyankuppam Village for conducting 'Car Festival' in the petitioner's village on 13.09.2019 and consequently direct the fifth respondent to give Police protection based on the petitioner's representation dated 17.08.2019.

For Petitioner : Mr.K.Vijayaragavan

For Respondents 1-5 : Mr.lyyapparaj
Addl.Public Prosecutor (Crl.Side)

O R D E R

The prayer in the present Writ Petition is for direction to the District Collector to grant permission to take the idols from Pandiyankuppam village to Nagakuppam village for the purpose of conducting 'Car Festival' on 13.09.2019 and for police protection.

2. The learned counsel for the petitioner would submit that though the Car Festival was scheduled to be held on 13.09.2019, the same could be postponed to a future date.

3. The learned Public Prosecutor submitted that there was a peace committee earlier held by the fourth respondent herein under Section 144 Cr.P.C. wherein a settlement was arrived at by the parties in the meeting.

4. It is brought to the notice of this Court that with regard to worshipping of common idol between the villages of Pandiyankuppam and Nagakuppam, there was a dispute among two groups in Pandiyankuppam village. A peace committee was therefore held by the fourth respondent herein on 27.07.2019. It is also stated that on 27.07.2019, the issue was amicably resolved among the parties whereby, it was agreed that the authorities of Nagakuppam village can worship the idol which is at Pandiyankuppam village. It is in this connection, the petitioner apprehends that there can be violence if the idol from Pandiyankuppam village is taken to Nagakuppam village and therefore has filed the present Writ Petition.

5. Since both the parties have earlier appeared before Revenue Authorities and had the matter amicably resolved on 27.07.2019, in order to ascertain the present status prevailing in both the villages, it would be appropriate to refer the matter back to the Revenue Authorities for the purpose of granting such permission to the petitioner for taking the idol from the Pandiyankuppam village to Nagakuppam village. If the petitioner is also permitted to approach the second respondent herein seeking for necessary police protection, ends of justice would be secured.

6. In the light of the above observations, the petitioner is granted liberty to approach the Revenue Divisional Officer, Kallakurichi, Villupuram, with an appropriate application seeking permission for taking the idol from Pandiyankuppam village to Nagakuppam village for the conduct of Car Festival and on receipt of such representation, the Officer shall issue necessary summons to such persons of both villages, who may be interested in the dispute and after conducting appropriate

enquiry, the authorities shall consider granting necessary permission for the temporary removal of the idol.

7. In case, such permission is granted, the petitioner is also at liberty to approach the Superintendent of Police, Villupuram, for necessary police protection during the taking of the idol as well as during the Car Festival. On receipt of such representation, the Superintendent of Police shall consider the same expeditiously, preferably on the same day.

8. The Writ Petition stands disposed of accordingly. No costs.

s/d-

Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

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To

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+1 CC to Mr.K.Vijayaragavan, Advocate sr 79213.

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SP(25/09/2019)