



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.05.2019

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

and

THE HONOURABLE MR.JUSTICE M.DHANDAPANIWP (MD) No.11750 of 2019andWMP (MD) Nos.8902 and 8903 2019

Mr.K.Sivanandam

... Petitioner

vs.

- 1) The District Collector,
Collectorate,
Pudukkottai District.
- 2) The Revenue Divisional Officer,
Pudukkottai District.
- 3) The Superintendent of Police,
Office of Superintendent of Police,
Pudukkottai District.
- 4) The Tahsildar,
Karambakudi,
Pudukkottai District.
- 5) The Inspector of Police,
Karambakudi Police Station,
Pudukkottai District.
- 6) S.Pitchaian
- 7) Narayanasamy
- 8) K.Ayyappan

... Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents 1 to 5 to take appropriate action against the 6th and 7th respondents for excommunicating 30 families (Vadakkuvalavu Karai) including 8th respondent from participating temple of Kumbabishekam and Vaikasi festival Arulmigu Muthuvinayagar Temple of Muthalipatti Village, Karambakudi Taluk, Pudukkottai District.

For Petitioner	: Mr.K.Baalasundharam
For R1 to R5	: Mr.Aayiram K.Selvakumar Additional Government Pleader
For R6 to R8	: Mr.G.Karnan

**ORDER**

(Order of the Court was delivered by M.DHANDAPANI, J.)

The petitioner has filed this writ petition for issuance of a Writ of Mandamus, directing the respondents 1 to 5 to take appropriate action against the 6th and 7th respondents for excommunicating 30 families (Vadakkuvalavu Karai) including 8th respondent from participating the Kumbabishekam and Vaikasi festival of Arulmigu Muthuvinayagar Temple at Muthalipatti Village, Karambakudi Taluk, Pudukkottai District.

2.Learned counsel for the petitioner would submit that Kumbabishekam festival at Arulmigu Muthuvinayagar Temple is going to be held in the village of the petitioner, but the petitioner and 30 families were illegally ex-communicated from participating the temple festival. Hence, this writ petition.

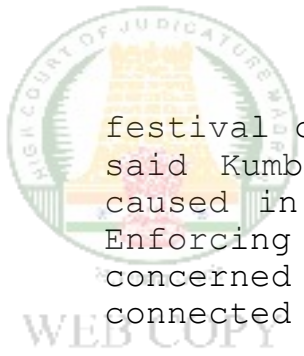
3.When the writ petition was listed for admission on 08.05.2019, notice was taken by the learned Additional Government Pleader on behalf of official respondents 1 to 5 and notice was ordered to the private respondents 6 to 8 through court and privately.

4.Today, the respondents 6 and 7 are represented by the counsel Mr.G.Karnan.

5.Learned Additional Government Pleader appearing for the official respondents would submit that a peace committee meeting was conducted in the presence of the Tahsildar, Karambakudi Village, in which the petitioner participated and in the said meeting, it was unanimously resolved to conduct the kumbabishekam of Arulmigu Muthuvinayagar Temple. The copy of the decision taken in the said peace committee meeting is placed before this Court, in which, the petitioner has signed as one of the parties.

6.Learned counsel for the respondents 6 and 7 would submit that the respondents 6 and 7 have no objection for the petitioner to participate in the said Kumbabishekam festival at Arulmigu Muthuvinayagar Temple and the petitioner can very well participate in the Kumbabishekam and for the purpose of conducting Kumbabishekam festival, another meeting was conducted, in which, the petitioner did not participate. However, the learned counsel states that respondents 6 and 7 have no objection for the participation of the petitioner in the Kumbabishekam. He also submitted that the respondents 6 and 7 have no objection for receiving the contribution amount for Kumbabishekam from the petitioner by the Kumbabishekam festival committee of Arulmigu Muthuvinayagar Temple.

7.Recording the submission made by the counsel for the respondents 6 and 7, this Writ Petition is disposed of directing the respondents 6 and 7 to receive the contribution amount for Kumbabishekam from the petitioner through the Kumbabishekam



festival committee and permit the petitioner to participate in the said Kumbabishekam without any protest. If any disturbance is caused in the peaceful performance of the Kumbabishekam, the Law Enforcing Agency shall take appropriate action against the persons concerned in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Vacation Officer/
Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

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To

1)The District Collector,
Collectorate,
Pudukkottai District.

2)The Revenue Divisional Officer,
Pudukkottai District.

3)The Superintendent of Police,
Office of Superintendent of Police,
Pudukkottai District.

4)The Tahsildar,
Karambakudi,
Pudukkottai District.

5)The Inspector of Police,
Karambakudi Police Station,
Pudukkottai District.

+1CC TO MR.K.BAALASUNDHARAM, Advocate Sr. No.65822

+1CC TO MR.G.KARNAN, Advocate Sr. No.65937

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 65983

WP (MD) No.11750 of 2019

NRK (CO)

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