



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.05.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No.12642 of 2019

and

W.M.P. (MD) Nos.9393 and 9394 of 2019

Main alias Karuppaiah

... Petitioner

Vs

1.The Revenue Divisional Officer,
Usilampatti, Maduari District.

2.O.Mayee @ Selvam, S/o.Oacha Thevar,
Nadumudalaikulam,
Usilampatti Taluk,
Maduari District.

(R2 is suo motu impleaded vide Court order dated 29.05.2019)

3.S. Karuppaiah, S/o.Santhana Thevar,
Nadumudalaikulam,
Usilampatti Taluk,
Maduari District.

... Respondents

(R3 is suo motu impleaded vide Court order dated 30.05.2019)

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the respondent by his proceedings in Na.K.No.A1/ /2019, dated 25.05.2019 and to quash the same and consequently to direct the respondent to grant permission and necessary protection to perform the dramas namely "Sri Valli Thirumanam" on 31.05.2019, "Sri Muthalamman Nadagam" on 01.06.2019 and "Arichandra Mayana Kandam" on 02.06.2019 in the eve of Mudalaikula Arulkighu Sri Kamba Kamachiamman, Sri Karuppaswamy Kovil "Urchava Thiruvizha" at Mudalaikulam Village, Usilampatti Taluk, Madurai District.

For Petitioner : Mrs.P.Jessi Jeeva Priya

For Respondents : Mr.Aayiram K.Selvakumar
Addl. Government Pleader for R1

: Mr.G.Prabhu Rajadurai
For Mr.M.S.Jeyakarthick for R2 & R3

**ORDER**

S.Karuppaiah is *suo motu* impleaded as the third respondent. Mr.S.Jeyakarthick, learned counsel takes notice for the impleading second and third respondents.

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2.This writ petition pertains to performance of the annual festival of Nadumudalaikulam Arulmighu Sri Kamba Kamachiamman Sri Karuppasamy Kovil in Nadukudalaikulam, Usilampatti Taluk, Maduari District. There are three groups in the village led by Mr.Main @ Karuppaiah S/o.Ponnusamy Thevar, O.Mayee @ Selvam, S/o.Oacha Thevar and S.Karuppaiah, S/o.Santhana Thevar. The festival is spread over three days for the current year. It is to be celebrated on 31.05.2019, 01.06.2019 and 02.06.2019 in the Tamil month of Vaikasi (17, 18 and 19). The primary dispute is as to who is to conduct the drama on which date. It is seen that the Revenue Divisional Officer, Usilampatti, has passed more than one order in this regard. This Court took the view that this is a matter that should be amicably resolved among the parties. All the three persons are present before this Court and on account their cooperation, an amicable solution could be arrived at. It has been agreed that drama to be conducted on 31.05.2019 will be organized by Mr.Main @ Karuppaiah, S/o.Ponnusamy Thevar. Second day drama would be organized by Mr.O.Mayee @ Selvam, S/o.Oacha Thevar and the third day drama would be organized by Mr.S.Karuppaiah, S/o.Santhana Thevar.

3.It is further agreed that Mr.Micha Raja, S/o.Paulraj nominated by Mr.Main @ Karuppaiah and Mr.Bharath, S/o.Baskaran, nominated by other two persons would over-see the collection of donation from the villagers and devotees on all the three days. The accounts for the first day will be submitted to the villagers on 01.06.2019 and it would be settled. The balance amount will be carried over and the collection made on the remaining days will be pooled together and settlement of accounts will be made on that basis. Mr.O.Mayee @ Selvam, S/o.Oacha Thevar and S.Karuppaiah, S/o.Santhana Thevar, would submit their accounts for second and third day before the villagers on 03.06.2019 morning and settlement of the account would be made on that basis. The individuals gave an undertaking before this Court that they will ensure that the three days events would be smoothly conducted on all the three days. Whatever the decoration that has been made on the first day will not be dismantled so that the same arrangements can be utilized on the second and third days, subject to their bearing proportionate expenses.

4.Whatever the balance amount is left it will be deposited in an account to be maintained in the name of the temple and it will be operated by the Poojari. Since the competing parties have themselves amicably resolved the dispute, the jurisdictional police is directed to provide police protection and also permit the events to be conducted in a traditional manner without any time



restriction.

5. It is made clear that this arrangement is applicable only for this year and this order is not to be cited as a precedent for the future years. The order impugned in the writ petition is quashed and the events will be celebrated in the manner indicated above. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Vacation Officer/
Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

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Issue Order Copy immediately.

To:

1. The Revenue Divisional Officer,
Usilampatti,
Madurai District.

2. The Inspector of Police,
Usilampatti,
Madurai District.

+1CC TO MR.M.S.JEYAKARTHIK, Advocate Sr. No.66562

+1CC TO MR.P.JESSI JEEVA PRIYA, Advocate Sr. No. 66578

W.P. (MD) No.12642 of 2019

30.05.2019

GKG (CO)

TR (31.05.2019) 3P 5C