



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN**

W.P. (MD) No.14971 of 2019

and

W.M.P. (MD) Nos.11479 and 11480 of 2019

Ramakrishnan

... Petitioner

Vs.

- 1.The District Collector,
O/o.The District Collector,
Sivagangai District.
- 2.The Superintendent of Police,
O/o.The Superintendent of Police,
Sivagangai District.
- 3.The Tashildar,
Thirupathur Taluk,
Sivagangai District.
- 4.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Thirupattur, Sivagangai District.
- 5.The Inspector of Police,
Natchiyarpuram Police Station,
Sivagangai District.

6.Muruganantham @ Suresh

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents 1 to 5 to permit the petitioner and his family members to participate the Sri Sulai Karuppar Temple Festival at Nadivikottai, N.Keelaiyur, Thirupattur Taluk, Sivagangai District to be held on 07.07.2019 and consequently forbear the sixth respondent from excommunicating the petitioner and his family members from his village.

For Petitioner : Mr.S.Kameswaran

For R1 to R5 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)

**ORDER**

The present writ petition has been filed seeking a direction to the respondents 1 to 5 to permit the petitioner and his family members to participate in the Sri Sulai Karuppar Temple Festival at Nativikottai, N.Keelaiyur, Thirupattur Taluk, Sivagangai District to be held on 07.07.2019.

2. Mr.K.Suyambulinga Bharathi, learned Government Advocate takes notice for the official respondents. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The grievance of the petitioner is that, Kumbabisegam in the above said temple was conducted on 23.05.2019 and now "Mandalabisegam" function is going to be celebrated on 07.07.2019. The sixth respondent, one of his villager, along with his henchmen collected tax from the villagers for conducting the said festival and misappropriated the same. When the petitioner questioned the said act, the sixth respondent excommunicated the petitioner and his family members from the village and did not permit the petitioner and his family members to participate in the temple festival. Hence, the petitioner made a representation to the respondents 1 to 5 to permit the petitioner and his family members to worship in the above said temple and to participate in the temple festival. Since the same was not considered, the petitioner has filed the present writ petition with the above said prayer.

4. Today, when the matter is taken up for hearing, the learned Government Advocate appearing for the official respondents, on instructions, would submit that with regard to the Mandalabisegam festival regarding giving honour, there is a dispute between the petitioner group and sixth respondent group. Therefore, peace committee meeting was conducted by the Tashildar, Thirupattur Taluk on 04.07.2019, and an order has also been passed setting out some terms and conditions for conducting Mandalabisegam festival. But, the group belongs to the petitioner did not agree for the same.

5. Heard the learned counsel for the petitioner and the learned Government Advocate for the official respondents and the learned counsel for the sixth respondent.

6. The learned counsel for the petitioner now submitted that the petitioner is willing to abide by the terms and conditions made by the Tashildar in the peace committee meeting held on 04.07.2019 for the smooth conduct of the festival and the Tashildar, Thirupattur may be directed to conduct the festival as per the terms and conditions of the peace committee meeting. He would further submit that the petitioner and his family members may be directed to participate in the festival and he will appear before the Tashildar and file an affidavit to that effect.



7. For this, the learned counsel for the sixth respondent has not raised any serious objection.

8. Considering the above facts and circumstances, the petitioner is directed to appear before the Tashildar on 06.07.2019, and file an affidavit agreeing for the terms and conditions arrived at the peace committee meeting held on 04.07.2019. Upon receiving the same, the Tahsildar, Thirupattur, is directed to conduct the Mandalabisegam festival as per the terms and conditions made in the peace committee meeting, dated 04.07.2019. The Tashildar, Thirupattur is directed to get necessary police protection for conducting the Mandalabisegam ceremony, if necessary.

9. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

Sub Assistant Registrar(CS)

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To

- 1.The District Collector,
O/o.The District Collector,
Sivagangai District.
- 2.The Superintendent of Police,
O/o.The Superintendent of Police,
Sivagangai District.
- 3.The Tashildar,
Thirupathur Taluk, Sivagangai District.
- 4.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Thirupattur, Sivagangai District.
- 5.The Inspector of Police,
Natchiyarpuram Police Station, Sivagangai District.

+1CC TO MR.P.AJUTAGORE, Advocate Sr. No. 73668

+1CC TO MR.S.KUMESWARAN, Advocate Sr. No. 73651

Order made in

W.P. (MD) No.14971 of 2019

Dated: 05.07.2019