



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.11.2019
CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**
Rev. Application No.164 of 2019
in
W.P.(MD).No.21109 of 2019

K.Sakkarai

... Petitioner/Petitioner

Vs.

1.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Officer,
Aruppukkottai Division,
Aruppukkottai,
Virudhunagar District.

3.The Deputy Superintendent of Police,
Tiruchuli Range, Virudhunagar District.

4.The Sub Inspector of Police,
Paralachi Police Station,
Aruppukkottai Taluk,
Virudhunagar District.

... Respondents/Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India r/w Order 47, Rule 1 of the Civil Procedure Code, to review the order passed in W.P.(MD)No.21109 of 2019, dated 01.10.2019 and expunge the observations from line 8 in para 2

'in respect of other temple, viz., Sri Renga Naachi Ammal @ Irangu Muthamman Temple of Thppalakkarai Village belongs to other communities except the petitioner's community.'

from line 10 in para 8 "Sri Renga Naachi Ammal @ Irangu Muthamman Temple belongs to the counterpart community".

Prayer in WP(MD)No.21109 of 2019

Petition filed under Article 226 of the Constitution of India praying to call for the records relating to the impugned order passed by the 4th respondent in Ref.No.Na.Ka.No.08/B9PS/TCL/19, dated 25.09.2019 and to quash the same and direct the 4th respondent to permit the Nayakkar Community people of Thoppalakkarai Village to conduct Purattasi festival relating to Sri Pattaththarasi Amman Koil and Ayyanar Koil situated in Thoppalakkarai Village on 08.10.2019 and 09.10.2019.



For Petitioner : Mr.D.Sivaraman
For Respondents : Mr.R.Anandharaj,
Additional Public Prosecutor.

ORDER

This petition has been filed to review the order passed by this Court dated 01.10.2019, in W.P.(MD)No.21109 of 2019.

2.The learned counsel for the petitioner submitted that at the time of hearing of the Writ Petition his submission was to the effect that Sri Renga Naachi Amman @ Irangu Muthamman Temple of Thoppalakkarai Village is common temple for the entire village people and not that the said temple belong to other communities, except the petitioner community, as observed in paragraph No.2 of the order passed in the writ petition.

3.It is his further submission that the averments made in the writ petition is also to the said effect. Therefore, the learned counsel prays that the observation in Paragraph No.2 of the order in the writ petition to the effect that "In respect of the other temple, namely, Sri Renga Nacchi Amman @ Irangu Muthamman Temple of Thoppalakkarai Village, belongs to other Communities except the petitioner's community", needs to be expunged or modified.

4.Upon considering the submission of the learned counsel for the petitioner and also perusing the affidavit filed in support of the writ petition, this Court modifies the above sentence in paragraph No.2 of the order dated 01.10.2019, in W.P.(MD)No.21109 of 2019, as under:

"In respect of the other temple, namely, Sri Renga Nacchi Amman @ Irangu Muthamman Temple of Thoppalakkarai Village, it belongs to the entire village people."

5.Similarly, the learned counsel for the petitioner requires modification of similar sentence, which occurs in paragraph No.8 of the order in the writ petition. The said sentence reads as under:

"Admittedly, both are having separate temples, namely, Vera Jakkammal @ Sri Pattaththarasi Amman Kovil belongs to the petitioner's community and Sri Renga Naachi Amman @ Irangu Muthamman Temple belongs to the counter part community".

6.Considering his submission, the above sentence in paragraph No.8 of the order, dated 01.10.2019, in W.P.(MD)No.21109 of 2019, is modified as under:

"The petitioner claims that Vera Jakkammal @ Sri Pattaththarasi Amman Kovil belongs to the petitioner's community and Sri Renga Naachi Amman @ Irangu Muthamman Temple is a common temple belongs to the all community people in the village."



WEB COPY

7. With the above modification, in the order dated 01.10.2019, in W.P.(MD) No. 21109 of 2019, the review petition is disposed of.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020
Sub Assistant Registrar (CS)

das

To

1. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
2. The Revenue Divisional Officer,
Aruppukkottai Division,
Aruppukkottai,
Virudhunagar District.
3. The Deputy Superintendent of Police,
Tiruchuli Range, Virudhunagar District.
4. The Sub Inspector of Police,
Paralachi Police Station,
Aruppukkottai Taluk,
Virudhunagar District.

+1 CC to M/s.D. SIVARAMAN, Advocate (SR-101665[F]

Rev. Application No.164 of 2019
in

W.P. (MD) .No.21109 of 2019
26.11.2019

SMA/20/01/2020/3P/6C