



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.11.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P. (MD)No.9943 of 2019

S.Lingappan

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District, Kanyakumari.

2.The Superintendent of Police,
Kanyakumari District, Nagercoil.

3.The Inspector of Police,
Kottar Police Station,
Nagercoil.

4.Thiyagarajan,
President,
Kalaingar Hindu Nadar Vagai,
Arulmigu Mutharaman
Santhiyadi Sudalai Matrum,
Veera sudalaimada Swamy Thirukoil Trust,
Kalaingar, Vadiveeswaram Village,
Agastheswaram Taluk, Kottar Post,
Nagercoil.

5.V.Vaikundamani,
Secretary, Kalaingar Hindu Nadar Vagai,
Arulmigu Mutharaman,
Santhiyadi Sudalai Matrum

<https://hcservices.ecourts.gov.in/hcservices/>
Veera sudalaimada Swamy Thirukoil Trust,



Kalaingar, Vadiveeswaram Village,
Agastheswaram Taluk, Kottar Post,
Nagercoil.

W.P. 6.Sagathevan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 3 herein to permit the petitioner and his relatives to participate in the temple festival and give protection from the 4 to 6 respondents herein for the petitioner's ritual functions.

For Petitioner	:	Mr.I.Irulappan
For R-1 to R-3	:	Mr.R.Anandharaj
		Additional Public Prosecutor
For R-4 to R-6	:	Mr.M.P.Senthil

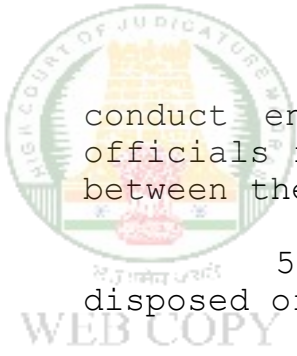
O R D E R

This Writ Petition has been filed directing the respondents 1 to 3 herein to permit the petitioner and his relatives to participate in the temple festival and also seeking Police protection.

2.The learned counsel appearing for the petitioner submitted that the petitioner is a member of Kalai Nagar Vazh Hindu Nadar Sangam. In that area, they constructed Temples viz., Arulmigu Sudalaimada Swamy and Arulmigu Muthuaraaman. Both Temples were administered by the respondents 4 to 6. After having been collecting tax to conduct the festival from the petitioner herein, they have not permitted the petitioner to participate in the Temple festival. He further submitted that already civil suits are pending between the parties in this regard. In fact, the petitioner had already filed a Writ Petition before this Court in W.P.(MD).No.25028 of 2018 and this Court permitted the petitioner to participate in the Temple festival.

3.The learned Additional Public Prosecutor appearing for the respondents 1 to 3 would submit that the respondents 4 to 6 collected the tax from the petitioner and they had not allowed the petitioner and his relatives to participate in the Temple festival.

4.Considering the facts and circumstances of the case, the third respondent is directed to conduct enquiry based on the representation given by the petitioner, after issuing notice to the respondents 4 to 6 and pass orders on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. If the third respondent found any difficulties to



conduct enquiry, the matter may be referred before the Revenue officials for conducting Peace Committee Meeting to settle the issue between the parties.

5. With the above directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS III)

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Sub Assistant Registrar (CS)

Tsg

To

1. The District Collector,
Kanyakumari District, Kanyakumari.

2. The Superintendent of Police,
Kanyakumari District, Nagercoil.

3. The Inspector of Police,
Kottar Police Station,
Nagercoil.

+1 CC to M/s.I.IRULAPPAN, Advocate (SR-97893[F] dated 13/11/2019)

+1 CC to M/s.M.P.SENTHIL, Advocate (SR-98180[F] dated 14/11/2019)

Order made in
W.P. (MD)No.9943 of 2019
Dated: **13.11.2019**

KK/SAR/26.11.2019/3P-6C/