



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 12.09.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P (MD).Nos. 19558 and 18564 of 2019

1.I.Kothandaraman .. Petitioner in WP(MD) No.19558 of 2019

2. K. Pandi .. Petitioner in WP(MD) No.18564 of 2019

Vs.

1. The Superintendent of Police
Viruthunagar District ... 1st Respondent in
WP(MD).No.19558/2019

2. The Deputy Superintendent of Police,
Thiruchuli,
Virudhunagar District. ... 1st Respondent in
WP(MD).No.18564/2019

2. The Inspector of Police
Narikudi Police Station
Viruthunagar District

3. The Sub- Inspector of Police
Mukkulam Police Station
Viruthunagar District ... Respondents 2 & 3 in
both writ petitions

4. I.Kothandaraman ... 4th respondent in
WP(MD) No.18564 of 2019

(Impleaded as per the order of
this Court dated 12.09.2019
in WMP(MD) No.16113/2019)

Prayer in WP(MD) No.19558 of 2019 :

This petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the respondents to grant permission for the peaceful conduct of festival in temple viz, Puravi Eduppu, Annathanam etc., at Sri pandi Vinayagar Temple, Sri Kaveri Ayyanar Temple and Sri Alagunatchiamman Temple, Scheduled from 01.10.2019 to 09.10.2019 by considering my representation dated 31.08.2019.

**Prayer in WP(MD) No.18564 of 2019 :**

This petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, Directing the respondents to grant protection for the peaceful conduct of festival including Puravi Edapu at Sree Kaveri Ayyanar Kovil, Alagunatchiamman Temple and Pandi Vinayagar Temple Scheduled to be held on 23.09.2019 to 01.10.2019 at V.Karisalkulam Village, Thiruchuli Tk, Virudhunagar Dt.

For Petitioners : Mr.C.Muthusaravan
(In WP(MD) No.19558 of 2019)

Mr.R.Karthikeyan
(In WP(MD) No.18564 of 2019)

For Respondents : Mr.R.Anandharaj
Additional Public Prosecutor
(in both the cases)

COMMON ORDER

With consent of learned counsel on both sides, main writ petitions are taken up, for final disposal.

2. It is seen that both the petitioners are relatives and there arose a dispute between them in respect of performing poojas at Sree Kaveri Ayyanar Kovil, Alagunatchiamman Temple and Pandi Vinayagar Temple at V.Karisalkulam Village, Thiruchuli Tk, Virudhunagar Dt. The temple is meant for particular community. A perusal of the records shows that for the past several years there are dispute between both the writ petitioners in respect of conducting festival. In this regard both the petitioners have filed writ petitions before this Court and obtained permission and police protection for conducting temple festival.

3. Now both the petitioners are seeking their rights to perform poojas in different dates for the very same temple. This right cannot be decided before this Court since it has to be decided by civil court. However now both the parties have agreed to appear before the Revenue Divisional Officer and also participate in the peace committee meeting. In this regard both the parties have lodged complaints on 19.08.2019 and 31.08.2019 and it is still pending on the file of the second respondent.

4. The second respondent is directed to refer both the complaints before the Revenue Divisional Officer, Aruppukottai, Virudhunagar District and on receipt of the same, the Revenue Divisional Officer, Aruppukottai, Virudhunagar District is directed to issue notice to both the parties and conduct peace committee meeting and settle the issues between them. Both the parties shall



co-operate for enquiry which is to be conducted by the Revenue Divisional Officer and shall abide by the conditions imposed in the peace committee meeting.

5. Therefore, the second respondent is directed to forward both the complaints lodged by the petitioners to the Revenue Divisional Officer, Aruppukottai, Viruthunagar District forthwith. On receipt of the same, the Revenue Divisional Officer is directed to issue notice to both parties and after hearing both parties, the Revenue Divisional Officer, Aruppukottai, Viruthunagar District shall pass orders on merits and in accordance with law. Such an exercise shall be completed within a period of two weeks from the date of receipt of complaint. If the same dispute continues in future, both the parties are directed to approach the concerned civil court to ascertain their rights to conduct festival in respect of performing poojas at Sree Kaveri Ayyanar Kovil, Alagunatchiamman Temple and Pandi Vinayagar Temple at V.Karisalkulam Village, Thiruchuli Tk, Virudhunagar Dt.

6. With the above direction, the writ petitions stands disposed of. No Costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Superintendent of Police
Viruthunagar District
2. The Deputy Superintendent of Police,
Thiruchuli, Virudhunagar District.
3. The Inspector of Police
Narikudi Police Station
Viruthunagar District
4. The Sub- Inspector of Police
Mukkulam Police Station
Viruthunagar District

+2 CC to M/s.R.KARTHIKEYAN, Advocate SR-86358 and 86359
+1 CC to M/s.C.MUTHU SARAVANAN, Advocate SR-86310

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