



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.09.2019

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P (MD) .No. 19939 of 2019

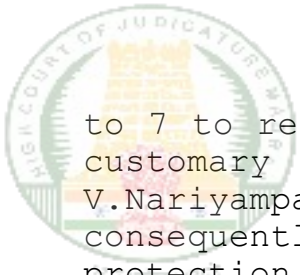
Kaluvan

.. Petitioner

Vs.

1. The District Collector
Madurai District
Madurai
2. The District Revenue Officer
Madurai District
Madurai
3. The Revenue Divisional Officer
Madurai District
Madurai
4. The Superintendent of Police
Madurai District
Madurai
5. The Deputy Superintendent of Police
Usilampatti
Madurai District
6. The Tahsildhar
Usilampatti, Madurai District
7. The Inspector of Police
Chekanoorani Police Station
Madurai District
8. Thangapandi
9. Thivam
10. Ganesan
11. Santhanam

... Respondents



to 7 to restraining the respondents No.8 to 11 from interfering the customary practice of the temple festival in any manner in V.Nariyampatti Village, Usilampatti, Madurai District and consequently directing the seventh respondent to give police protection based on the petitioners representation dated 30.08.3019

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For Petitioner : Mr.N.Jeyaram Sidharth

For Respondents : Mr.R.Anandharaj
No.1 to 7 Additional Public Prosecutor

ORDER

This Petition has been filed to direct the respondents No.3 to 7 to restraining the respondents No.8 to 11 from interfering the customary practice of the temple festival in any manner in V.Nariyampatti Village, Usilampatti, Madurai District and consequently directing the seventh respondent to give police protection based on the petitioners representation dated 30.08.3019

2. It is the grievance of the petitioner that there is a Karuppasamy temple and Ayyanar temple situated in their village which was worshipped by the entire village peoples and every year during the month of 'Puradasi' the festival is being conducted and for the past several years they are conducting the festival and there is no communal clash between the people. He has also submitted an representation to all the respondents on 30.08.2019 for conducting the temple festival, which has not been considered by them. Therefore, he has filed the present writ petition.

3. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

4. In view of the limited prayer sought for in this writ petition and without going into the merits of the case, there shall be a direction to the seventh respondent to consider the petitioner's representation dated 30.08.2019 on its own merits and take further action in accordance with law, within a period of one week from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the rival parties.



5. With the above direction, this writ petition is disposed of. No costs.

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Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

To

1. The District Collector
Madurai District
Madurai
2. The District Revenue Officer
Madurai District
Madurai
3. The Revenue Divisional Officer
Madurai District
Madurai
4. The Superintendent of Police
Madurai District
Madurai
5. The Deputy Superintendent of Police
Usilampatti
Madurai District
6. The Tahsildhar
Usilampatti, Madurai District
7. The Inspector of Police
Chekanoorani Police Station
Madurai District

+1 CC to M/s.N.JEYARAM SIDHARTH, Advocate (SR-87054[F] dated 17/09/2019)

W.P (MD) .No.19939 of 2019
17.09.2019

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JMN(17.09.2019) 3P : 9C