

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 19.12.2019

CORAM:

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THE HONOURABLE MR. JUSTICE **A.D. JAGADISH CHANDIRA**W.P. (MD) No. 27089 of 2019andW.M.P. (MD) No. 23424 of 2019

M. Sindha

... Petitioner

Vs.

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

2. The Revenue Divisional Officer,
Tiruchendur,
Thoothukudi District.

3. The Inspector of Police,
Kurumbur Police Station,
Thoothukudi District.

4. Naveenkumar

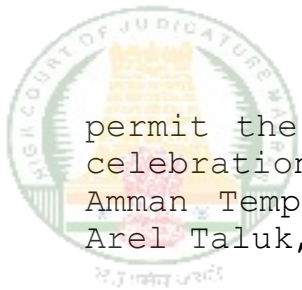
... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first to third respondents to take appropriate action against the fourth respondent and his men based on the petitioner's representation dated 28.08.2019 and 17.12.2019 regarding excommunication and consequently to direct the respondents 1 to 3 to permit the petitioner and his family members to participate in the celebrations and poojas in Sri Muthumalai Amman and Sri Pathrakali Amman Temple situated in Keelakallamparai, Thenthiruperai Village, Arel Taluk, Thoothukudi District.

For Petitioner	:	Mr. N. Ramesh Arumugam
For Respondents	:	Mrs. S. Bharathi
1 to 3		Government Advocate (Crl. Side)
For 4 th Respondent	:	Mr. S. Vijayakumar

ORDER

This Writ Petition has been filed seeking a direction to direct the respondents 1 to 3 to take appropriate action against the fourth respondent and his men based on the petitioner's representation dated 28.08.2019 and 17.12.2019 regarding excommunication and consequently to direct the respondents 1 to 3 to



permit the petitioner and his family members to participate in the celebrations and poojas in Sri Muthumalai Amman and Sri Pathrakali Amman Temple situated in Keelakallamparai, Thenthiruperai Village, Arel Taluk, Thoothukudi District.

2. When the matter is taken up for hearing today, the learned Government Advocate (Crl. Side) appearing for the respondents 1 to 3 would submit that based on the representation given by the petitioner, a peace committee meeting was conducted between the petitioner and members of the village. The fourth respondent is the president of the Village Welfare Committee and he has agreed to receive yearly contribution from the petitioner for celebration of the temple festival and that as on date there is no dispute between the petitioner and the fourth respondent. She would further submit that the members of the Village Welfare Committee have also agreed to allow the petitioner to participate and celebrate the temple festival.

3. Mr. S. Vijayakumar, learned counsel appearing for the fourth respondent would submit that the fourth respondent as well as the Village Welfare Committee, have no objection for the petitioner and his family members in participating and celebrating the temple festival.

4. Having regard to the nature of the facts and circumstances of the case, this court is of the view that the prayer sought for by the petitioner has become infructuous. Accordingly, this writ petition is dismissed as infructuous. No costs. Consequently, the connected writ miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS)

// True Copy //

Sub Assistant Registrar (CS)

vsg

To

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

2. The Revenue Divisional Officer,
Tiruchendur,
Thoothukudi District.

3. The Inspector of Police,
Kurumbur Police Station,
Thoothukudi District.

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+1 CC to M/s.N.RAMESH ARUMUGAM, Advocate (SR-106054[F] dated
19/12/2019)

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W.M.P. (MD) .No.23424 of 2019
19.12.2019

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TR(20.12.2019) 3P 5C