



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 21.02.2020  
CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA**

W.P. (MD)No.3429 of 2020  
and W.M.P. (MD)No.2883 of 2020

S.Mariapan

: Petitioner

Vs.

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

2.The Inspector of Police,  
Pettai Police Station,  
Pettai, Tirunelveli District.

3.The Assistant Commissioner,  
HR & CE, Palayamkottai,  
Tirunelveli District.

4.The Tahsildar,  
Tirunelveli District,  
Tirunelveli.

5.Thiyagarajan

6.A.Mariappan

: Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, by directing the respondents 1 and 2 to give necessary protection to the Temple festival particularly the Sivarathiri Pooja to be held from 06.00 pm on 21.02.2020 and till 06.00 am on 22.02.2020 in Arulmigu Kombumadasamy Thirukovil situated in Pettai village, Tirunelveli District.

|                 |                                                          |
|-----------------|----------------------------------------------------------|
| For Petitioner  | : Mr.R.Karunanidhi                                       |
| For R1, R2 & R4 | : Mrs.S.Bharathi,<br>Government Advocate (Crl.side)      |
| For R3          | : Mr.VR.Shanmuganathanan,<br>Special Government Pleader. |
| For R5          | : Mr.S.Vellaichamy                                       |
| For R6          | : Mr.H.Arumugam                                          |



**ORDER**

This writ petition has been filed to direct the respondents 1 and 2 to give necessary protection to the Temple festival particularly the Sivarathiri Pooja to be held from 06.00 pm on 21.02.2020 and till 06.00 am on 22.02.2020 in Arulmigu Kombumadasamy Thirukovil situated in Pettai village, Tirunelveli District.

2.Today, when the matter is taken up for hearing, the learned Government Advocate(Crl.side) would submit that there was dispute between different groups of villagers with regard to the management and first right in the temple. She would further submit that since there was a dispute between the rival groups in the village, the matter was referred to the Thasildar for conducting peace committee meeting on 03.02.2020. Peace committee meeting also conducted and since no consensus was arrived, the parties were directed not to enter the temple and not to conduct any festivals till the outcome of the proceedings pending before the Court and thereby, the respondents are not granted any permission or protection to conduct the temple festival. However, she would submit that if the parties approach the concerned Thasildar and ask permission for conducting the festival and if the Thasildar grants permission to conduct festival, the respondent police has no objection to give protection.

3.In view of the above, the petitioner and the rival parties are directed to appear for enquiry before the Thasildar and file a joint affidavit. Based on outcome of the enquiry, if the Thasildar allows the petitioner as well as the rival group to conduct temple festival, the respondent police shall give protection. Accordingly, this writ petition stands closed. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

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Sub Assistant Registrar(CS )

gns

To

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



2.The Inspector of Police,  
Pettai Police Station,  
Pettai, Tirunelveli District.

3.The Assistant Commissioner,  
HR & CE, Palayamkottai,  
Tirunelveli District.

4.The Tahsildar,  
Tirunelveli District,  
Tirunelveli.

+1 CC to Mr.R.KARUNANITHI, Advocate ( SR-7677[F] dated 21/02/2020 )  
+1 CC to Mr.H.ARUMUGAM, Advocate ( SR-7726[F] dated 21/02/2020 )  
+1 CC to Mr.M.V.VENKATASESAN, Advocate (SR-7922[F] dated  
24/02/2020 )

W.P. (MD)No.3429 of 2020  
21.02.2020

MK (12.03.2020) 3P 8C