



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P (MD)No.5057 of 2020

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P.Thanikodi

... Petitioner

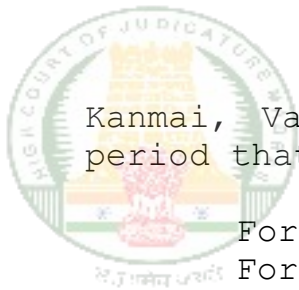
Vs.

- 1.The District Collector,
Madurai District Collectorate,
Madurai 625 020.
- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Usilampatti, Madurai District.
- 3.The Thasildar,
Taluk Office,
Usilampatti Taluk,
Madurai District.
- 4.The Assistant Engineer,
Water Resource Organization,
Public Works Department,
Periyar Vaigai Dam Irrigation Division,
Penni Quick Campus, Chokkikulam,
Madurai 625 002.
- 5.The Assistant Engineer,
Water Resource Organization,
Public Works Department,
Irrigation Department,
Thirumangalam,
Madurai 625 006.
- 6.The Superintendent of Police,
District Police Office,
Madurai District.
- 7.The Inspector of Police,
Valanthur Police Station,
Valanthur, Madurai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents consider petitioner's representation dated 02.03.2020 for conduct the pongal and fishing festival in Mottupul Karuppu Temple which is situated in Survey No.32, Chellappakottai

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Kanmai, Valanthur Village, Madurai District within the stipulated period that may be fixed by this Court.

For Petitioner	: Mr.B.Senthilkumar
For Respondents	: Mrs.J.Padmavathi Devi
	Special Government Pleader

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ORDER

By consent of both parties this writ petition is taken up for final disposal at the admission stage itself.

2.The instant writ petition is filed in the nature of Mandamus to consider the representation of the petitioner, dated 02.03.2020 to conduct the 'Pongal and fishing festival' in 'Mottupul Karuppu Temple', which is situated in Survey No.32, Chellappakottai Kanmai, Valanthur Village, Madurai District.

3.In the affidavit filed in support of the writ petition, it is stated that every year, six villagers, who are in the Valanthur Village, are conducting the Pongal Festival in 'Mottupul Karupu Temple' at Chellappakottai Kanmai to thank the village God namely 'Village God Mottupuli Karuppusamy' after completing the agricultural and harvesting work. They also conduct the fishing festival. In this connection, the petitioner has given a representation on 25.02.2020 seeking to be included in the festival committee. It is stated that he gave further representation on 02.03.2020. In view of the fact that, no action had been taken, the present writ seeking mandamus has been filed.

4.The learned Special Government Pleader, who takes notice on behalf of the respondents 1 to 7, had produced the proceedings in letter No.கோ.3/2020/உபொ/திரும, dated 09.03.2020, issued by the Assistant Engineer, Public Works Department to the Periyar Vaigai Dam Irrigation Division, Madurai. In the said proceedings, it had been stated that there is no water in the Kanmai and therefore, the festival cannot be conducted. It is also stated that without any permission, the festival should not be conducted.

5.In view of the specific stand taken by the authorities, if the petitioner is aggrieved by the same, the petitioner could now work out his remedy as against the said order, mandamus will not lie. Accordingly, the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CO)

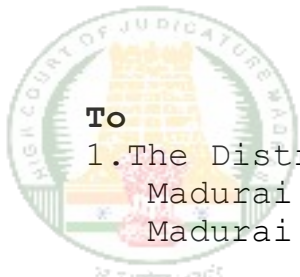
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Sub Assistant Registrar(CS)

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+1 CC to M/s.B.SENTHILKUMAR, Advocate (SR-11429[F] dated 12/03/2020
+1 CC to M/s.SPL.GP (SR-11577[F] dated 13/03/2020)

**W.P(MD)No.5057 of 2020
12.03.2020**

AP(18.03.2020) 3P 10C