



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.09.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**

W.P. (MD)No.10814 of 2020

WEB COPY

1.K.R.Manimuthu

2.S.P.Manikkam

3.S.Malaiyandi

... Petitioners

Vs.

1.The District Collector,
Pudukkottai District.

2.The Revenue Divisional Officer,
Aranthangi,
Pudukkottai District.

3.The Superintendent of Police,
Pudukkottai District.

4.The Thasildhar,
Aavudaiyarkovil Taluk Office,
Pudukkottai District.

5.The Deputy Superintendent of Police,
Aranthangi,
Pudukkottai District.

6.The Sub Inspector of Police,
Embal Police Station,
Aavudaiyarkovil Taluk,
Pudukkottai District.

7.Allimuthu

... Respondents

PRAYER : This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 6 not to give permission to any person or group to perform a temple festival for Sree Muthumariyamman Temple or any other program situated in S.No.118/6 to the extent of 2.50 acres in Adhi Dravidar Kudiyiruppu, Irumbanadu Melapagam Village, Aavudaiyarkovil Taluk, Pudukkottai District, based on the petitioner's representation, dated 19.06.2020.

For Petitioner : Mr.D.Senthil
for Mr.C.Nagamuthu

For R-1 to R- 6 : Mr.S.Chandrasekar,
Additional Public Prosecutor



O R D E R

This writ petition has been filed for the issuance of writ of Mandamus directing the respondents 1 to 6, not to give permission to any person or group to perform a temple festival for Sree Muthumariyamman Temple or any other program situated in Survey No.118/6 to the extent of 2.50 acres in Adhi Dravidar Kudiyiruppu, Irumbanadu Melapagam Village, Aavudaiyarkovil Taluk, Pudukkottai District, based on the petitioner's representation, dated 19.06.2020.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 to 6. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3.The grievance of the petitioner is that the petitioners 2 and 3 are the Trustees of Sree Muthumariyamman Temple, Irumbanadu Melapagam Village, which is their private temple. In the said village, apart from the petitioners, thirty other families were resided. Further, in the said village, the dominant community people of Kallar caste have been discriminating the petitioners and causing a great hurdle for the livelihood of the petitioners. To avoid hardship given by the dominant community, the petitioners and other thirty families, belonging to SC Parayar community, residing in the said village have purchased a separate land, in the year 1990 and constructed a building for Muthumariamman Temple, in the land comprised in Survey No.118/6 to the extent of 2.50 acres. Further, the said sale has been registered in Document No.517 of 2005 on the file of the Sub Registrar Office, Keelanilai.

4.Subsequent to that on 16.05.2013, a festival of 'Kudamulukku' was conducted in the said Temple by using the money collected as tax from the 30 (thirty) families, including the petitioners. The accounts of the collected money and conducted festival costs was headed by one Allimuthu and his men namely, Murugaiah as Secretary and the second petitioner as Treasurer. Due to ill health of the second petitioner, one Bakkiyam was appointed as Treasurer instead of the second petitioner. Further, despite collecting money for conducting the temple festival, the same was not conducted and the accounts for the money collected from the public of the village was not produced to the petitioners. By taking advantage of Covid - 19, some of the rivalry group has decided to conduct the temple festival, after excluding the petitioners and others who were supporting them.

5.In this regard, on 18.06.2020, the petitioners have submitted a complaint before the sixth respondent for taking action against the said Allimuthu, for being the instigator of the above



said problems and trying to keep away from the village. Further, by way of representation, dated 10.07.2020, a legal notice has also been sent to the respondents. Though the said representation was received by the respondents, no action was initiated upon the said representation. Therefore, it is necessary to pass an order of direction for the prayer stated supra.

6.Today when the petition is came up for hearing, the learned Additional Public Prosecutor appearing for the respondents 1 to 6, on instructions, would submit that the representation given by the petitioners to the sixth respondent has been now forwarded to the fourth respondent and upon receipt of the same, the fourth respondent herein initiated a process for conducting peace committee.

7.In this regard, the learned Counsel appearing for the petitioners would submit that though the petitioners have sought for the larger relief as above, it would be suffice, to direct the fourth respondent to complete the Peace Committee meeting, within a time frame to be fixed by this Court.

8.Upon considering the submission made by either sides, now the prayer sought for by the petitioners has already been in process, on the file of the fourth respondent, therefore, no further order is required in this writ petition, except to direct the fourth respondent to complete the Peace Committee meeting within a stipulated period.

9. Accordingly, this writ petition stands disposed of, with a direction to the fourth respondent to complete the Peace Committee meeting, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.



To

- 1.The District Collector,
Pudukkottai District.
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AP(10/09/2020) 4P 7C