



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2020

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THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No.13612 of 2020

WEB COPY

Sivaraj

... Petitioner

Vs.

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.

2. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

3. The District Revenue Officer,
Paramakudi Division,
Ramanathapuram District.

4. The Inspector of Police,
Kamuthi police station,
Ramanathapuram District.

5. Sundaram

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing respondents 1 to 4 to conduct the peace committee meeting and in the meantime the petitioner and his 20 relative families are allowed to participate in Sri Kalliamman temple Purattasi Pongal festival peacefully to petitioner and his 20 relative families in the Perumalkudumbanpatti Village, Mustakkurichi Post, Kamuthi Taluk, Ramanathapuram District with adequate police protection based on the petitioner's representation dated 29.09.2020.

For Petitioner
For R-1 to R-4

: Mr.S.Sivaprakash
: Mr.S.Chandra Sekar,
Additional Public Prosecutor.

* * *

O R D E R

Heard the learned counsel appearing for the writ petitioner and the learned Additional Public Prosecutor appearing for respondents 1 to 4.

2. The allegation of the petitioner is that the annual Purattasi festival is to be celebrated tomorrow(06.10.2020) in their

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village. He further alleges that at the instance of the fifth respondent, the petitioner and 20 other families are sought to be excluded. All that the petitioner wants is the only right to participate and offer worship. He is not asking for any first honour.

3. The learned Additional Public Prosecutor states that the police have not permitted the holding of the festival and that they have also issued proceedings to that effect.

4. Be that as it may, I make it clear that whenever the temple festival is conducted, it is the duty of the revenue authority as well as the police authority to ensure that no person is excommunicated. Social excommunication is unconstitutional. Therefore, it is the duty of the authorities to ensure that it does not occur.

5. The petitioner's counsel would make a statement that the fifth respondent is planning to hold the temple festival on 06.10.2020. If that be so, respondents 1 to 4 will ensure that the petitioner and his vagaiara are also made to participate in the temple festival.

6. With this clarification and direction, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS I)

// 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,
Ramanathapuram District,
Ramanathapuram.
2. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

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3. The District Revenue Officer,
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4. The Inspector of Police,
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