



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.12.2020

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.18143 of 2020

P.Perumal

... Petitioner

vs.

1.The District Collector
Pudukkottai District,
Pudukkottai.

2.The Tahsildar
Ponamaravathi Taluk,
Pudukkottai District.

3.The Revenue Divisional Officer,
Pudukkottai District,
Pudukkottai.

4.The Superintendant of Police,
Pudukkottai District,
Pudukkottai.

5.The Inspector of Police,
Karaiyur Police Station,
Pudukkottai District.

6.Pitchan
7.Senthil
8.Chinnaiah
9.Velu
10.Ganesan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents 1 to 5 to take necessary action on the basis of the petitioner's representation dated 04.08.2020 with regard to participate and celebrating the day to day temple functions in the petitioner village namely, Sri Ayyanar Thiru Kovil at Nallur, Ponnamaravathi Taluk, Pudukkottai District.

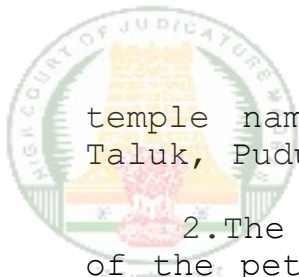
For Petitioner : Mr.D.Anbarasu

For Respondents 1 to 5 : Mr.R.Srinivasan

Government Advocate(Crl.Side)

ORDER

The writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 to 5 to take necessary action on the basis of the petitioner's representation dated 04.08.2020 seeking permission to participate in the day to day functions of the



temple namely, Sri Ayyanar Thiru Kovil at Nallur, Ponnamaravathi Taluk, Pudukottai District.

2.The learned counsel for the petitioner would state that one of the petitioner's relatives namely, Velu has married a person of his choice and therefore, the petitioner and his relatives were ex-communicated from the village and apprehending that the petitioner and his family members may be prevented from participating in any of the functions of Nallur Bagavathi Mariamman Temple, the petitioner earlier filed W.P(MD)No.13966 of 2019, wherein, the learned Additional Government Pleader had stated that there is no objection for the petitioner participating in the above temple festival and therefore, this Court by order dated 10.03.2020 has held that the petitioner can participate in the temple festival and also held that the Tahsildar may ensure that the petitioner and his family members have no cause for grievance. Now it is the grievance of the petitioner that he and his family members are not permitted to enter into the another temple situated in the same village namely, Sri Ayyanar Thiru Kovil at Nallur and to participate in the day-to-day functions in the said temple by the respondents 6 to 10. Therefore, the petitioner made a representation dated 04.08.2020 to the respondents 1 to 5, but till date no order has been passed thereon. Hence, this writ petition.

3.The learned Government Advocate(Crl.Side) would state that the respondents will consider and dispose of the petitioner's representation dated 04.08.2020 in accordance with law within a time frame.

4.Heard the learned counsel for the petitioner and the learned Government Advocate(Crl.Side) for the respondents 1 to 5. Since no adverse order is going to be passed against the respondents 6 to 10, notice to them is not necessary.

5.Perusal of record shows that earlier the petitioner has filed W.P(MD)No.13966 of 2019 seeking permission to participate in the temple festival of Nallur Bagavathi Mariamman Temple, Ponnamaravathi Taluk, in Pudukkottai District and this Court while disposing of the above writ petition by order dated 10.03.2020, has held as follows:-

'3.The contention of the learned counsel for the petitioner is that one of his relatives viz., Velu has married a person of his choice. Therefore, the petitioner and his family members, according to the petitioner, may be prevented from participating in any of the function of the Nallur Bagavathi Mariamman Temple.

4.This statement is denied. The second respondent/Tahsildar had conducted a Peace Committee Meeting. Finally, it is stated by the learned Additional Government Pleader that there would be no objection nor would there be any complaint that there is an objection for the petitioner participating in the temple festival.



5.It is stated by the learned counsel for the petitioner that the function is scheduled on 15.03.2020 and 16.03.2020.

6.The petitioner may participate in the said function. There can be no objection from any person for participating in the function. The petitioner may participate as a ordinary village member in the function along with his relatives and with his family members. I am sure that the respondents 4 to 8 will have no objection for the same. The Tahsildar may also ensure that the petitioner and his family members have no cause for grievance.

7.With the above observations, the writ petition is disposed of. No costs.'

6.Now the petitioner seeks permission to participate in the functions of another temple namely, Sri Ayyanar Thiru Kovil situated in the very same village. Therefore, considering the facts and circumstances of the case, the respondents 1 to 5 are directed to consider and pass appropriate orders on the petitioner's representation dated 04.08.2020 taking note of the earlier order passed in W.P(MD)No.13966/2019 dated 10.03.2020 in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

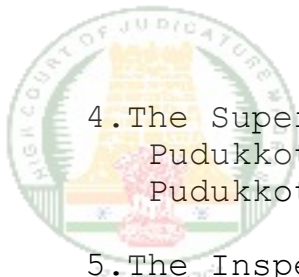
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To

1.The District Collector
Pudukkottai District,
Pudukkottai.

2.The Tahsildar
Ponamaravathi Taluk,
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3.The Revenue Divisional Officer,
Pudukkottai District,
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4.The Superintendant of Police,
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Pudukkottai.

5.The Inspector of Police,
Karaiyur Police Station,
Pudukkottai District.

+1 CC to M/s.D.ANBARASU, Advocate (SR-25337[F] dated 14/12/2020)

W.P(MD)No.18143 of 2020

DATED : 10.12.2020

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