



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.08.2020

CORAM:

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.1247 of 2018

and

W.M.P. (MD)Nos.1334 and 1335 of 2018

Manoharan

... Petitioner

Vs.

1.The Tahsildar,
Kadavoor Taluk,
Karur District.

2.Mariyappan

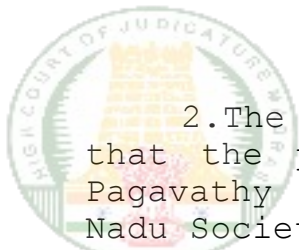
... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the first respondent in his proceedings bearing Na.Ka.No.A1/2475/2017, dated 30.10.2017 and quash the same on the ground that the same is arbitrary, illegal and without any legal basis and consequently, directing the first respondent to permit the petitioner's Trust to conduct Kudamuzhukku Festival of Sri Kaliyamman Temple situated at Rayappagoundanoor, Sembinaatham, Kadavoor Taluk, karur District, scheduled on 11.02.2018 or any subsequent dates.

For Petitioner	:Mr.J.Selvin Rajesh for Mr.R.Shankar Ganesh
For R1	:Mr.C.Ramesh Special Government Pleader
For R2	: No appearance

ORDER

The prayer sought for herein is for a Writ of Certiorarified Mandamus, to call for the records of the first respondent in his proceedings bearing Na.Ka.No.A1/2475/2017, dated 30.10.2017 and quash the same and consequently, direct the first respondent to permit the petitioner's Trust to conduct Kudamuzhukku Festival of Sri Kaliyamman Temple situated at Rayappagoundanoor, Sembinaatham, Kadavoor Taluk, karur District, scheduled on 11.02.2018 or any subsequent dates.



2.The learned counsel appearing for the petitioner would submit that the petitioner is the President of Sri Kaliasman and Sri Pagavathy Amman Temple Trust. The same is registered under Tamil Nadu Societies Registration Act. On 11.02.2018, the petitioner and the villagers had decided to perform Kudamuzhukku festival of Sri Kaliyamman Temple situated at Rayappagoundanoor, Sembinaham, Kadavoor Taluk, Karur District. But the second respondent abused, interfered in the renovation works and also caused some troubles to conduct the festival which was performed by the petitioner's Trust. Therefore, the petitioner made a representation to the Authority concerned. In the meanwhile, One Shinnangi filed Writ Petition in W.P.(MD)No.10473 of 2017 before this Court. This Court directed the first respondent to conduct the Peace Committee Meeting. Pursuant to the same, the Peace Committee Meeting was convened by the first respondent. In the Peace Committee Meeting, the second respondent has not turned up. Thereafter, the first respondent passed the impugned order by postponing the said Peace Committee Meeting without fixing any date. Challenging the said impugned order, the Writ Petition has been filed before this Court.

3.It is seen from the records that though notice has been served to the second respondent, none appears for the second respondent.

4.The learned Special Government Pleader appearing for the first respondent submits that the second respondent ignored to appear before the Peace Committee Meeting.

5.Considering the facts and circumstances of the case, the impugned order is quashed and remitted to the first respondent to conduct the Peace Committee Meeting in accordance with law after providing opportunity to the interested parties or any other objectors within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the above direction, this writ petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar

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



To

The Tahsildar,
Kadavoor Taluk,
Karur District.

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+1 CC to M/s.GP (SR-14390[F] dated 19/08/2020)

W.P. (MD) No.1247 of 2018
17.08.2020

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