



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **25.09.2020**

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WEB COPY

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD) No.2261 of 2018
and
W.M.P. (MD) No.2749 of 2018

Pandi @ Mayandi Chamy

...Petitioner

Vs

1.The District Collector,
Collector Office Complex,
Madurai District,
Madurai.

2.The Superintendent of Police,
Madurai District,
Alagarkovil Road,
Madurai.

3.The Revenue Divisional Officer,
Usilampatti Taluk,
Madurai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 3rd respondent to allow the petitioner to celebrate Masi Pachai Festival for Arulmigu Ochandamman Temple at Pappapatti, Usilampatti Taluk, Madurai District from 13.02.2018 to 15.02.2018 as per the customary practice followed for the past 600 years based on the petitioner's representation dated 25.01.2018.

For Petitioner : No appearance

For Respondents: Mr.P.Kannidevan
Additional Government Pleader

ORDER

This writ petition is filed to direct the 3rd respondent to allow the petitioner to celebrate Masi Pachai Festival for Arulmigu Ochandamman Temple at Pappapatti, Usilampatti Taluk, Madurai District from 13.02.2018 to 15.02.2018 as per the customary practice followed for the past 600 years, by considering the petitioner's representation dated 25.01.2018.



2. None appeared on behalf of the petitioner.

3. A counter affidavit is filed on behalf of the 2nd respondent by the Inspector of Police, Usilampatti Circle, Madurai District, wherein, it had been stated as follows:-

"11. It is respectfully submitted that the issue in respect of celebration of the Masi Pachai festival in Arulmigu Ochandamman Temple on Masi Maha Sivarathiri lies between the 8+2=10 Thevars, 5 Poosaris (Mamanmargal), Kodangees (Godman) and Ayyanarkulam Akkamakkal only and not with the common public and individuals worshipping the goddess. The respondents never prevented any one including the petitioner to perform their religious rights and practices as a common man. Only when they raise their privilege as Thevar, Poosari, Kodangi, and Ayyanarkulam Akkamakkal, their arise issues apprehending breach of peace."

4. Considering the facts and circumstances of the case that the petitioner has sought for a direction to allow him to celebrate Masi Pachai Festival for the said temple only for the year 2018, the prayer sought for by the petitioner has now become infructuous.

5. For the reasons stated above and in view of the statement made in the counter affidavit filed on behalf of the 2nd respondent, nothing survives for further adjudication in the writ petition and accordingly, the

Writ Petition stands dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// 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,
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+1 CC to SGP (SR-18338[F] dated 29/09/2020)

W.P. (MD) No.2261 of 2018

25.09.2020

NR (06.10.2020) 3P 5C