



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 24.02.2021

CORAM

THE HON'BLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.3504 of 2021

K.S.Gurusamy Asari

... Petitioner

-vs-

1.The District Collector,
Theni District,
Theni.

2.The Revenue Divisional Officer,
Uthamapalayam,
Theni District.

3.The Tahsildar,
Bodinayakanur Taluk,
Theni District.

4.The Superintendent of Police,
Theni District,
Theni.

5.Pounraj,
Secretary,
Allikula Anupa Gowdar's Village Association,
Melachokkanathapuram Village,
Bodinayakanur Taluk,
Theni District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus to direct the respondents 1 to 4 to take necessary action against the fifth respondent and his caste people for restraining other caste people belong to the Village from taking part in Sri Kaliyamman Temple Panguni Festival at Melachokkanathapuram Village Bodinayakanur Taluk, Theni District and also from avoiding their donation (Thalaikattu Vari) towards conducting of festival which is in practice for more than 40 years and also to ensure that all caste people to take part in the temple festival without discrimination and accept their donation for festival to be held on April, 2021, by considering the petitioner's representation dated 11.02.2021 within the time stipulated by this Court.

For Petitioner	: Mr.A.Mithun Chakravarthi
For Respondents	: Mr.M.Karuppasamy
1 to 4	Government Advocate



ORDER

The prayer in the Writ Petition is to restrain the fifth respondent and his caste people from taking part in Sri Kaliyamman Temple Panguni Festival at Melachokkanathapuram Village, Bodinayakanur Taluk, Theni District, and also from performing certain other special offers to ensure all castes people take part in the festival without any discrimination. The entire affidavit is bereft of any details and the averments are extremely bald generic and this Court could not make out any specific cause of action from the same. The writ petitioner has not also explained as to how he is connected with the dispute and what is the *locus standi* in maintaining this Writ Petition. There appears to be some caste dispute in regard to the worshipping of temples and offering prayers and such disputes cannot be a subject matter of adjudication before this Court in its exercise of Writ jurisdiction.

2.This Court is of the view that the writ petition can be dismissed both on the ground of *locus standi* and also on the ground that such Writ petition cannot be maintained without disclosing any specific cause of action and also that this Court cannot be a party to a private dispute as between the petitioner and other private respondents. In that view of the matter, this Court is of the clear view that the Writ Petition is without any factual legal basis that can be entertained even for a second.

3.Therefore, the same is dismissed. No costs.

Sd/-

Assistant Registrar (CSIII)

// True Copy //

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Sub Assistant Registrar(CS)

To

- 1.The District Collector,
Theni District,
Theni.
- 2.The Revenue Divisional Officer,
Uthamapalayam,
Theni District.
- 3.The Tahsildar,
Bodinayakanur Taluk,
Theni District.
- 4.The Superintendent of Police,
Theni District,



+1 CC to M/s.SPL GP (SR-7223[F] dated 25/02/2021)

W.P. (MD) No.3504 of 2021
24.02.2021

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