



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2021

CORAM :

THE HONOURABLE **Mrs. JUSTICE R. HEMALATHA**

W.P.(MD)No.6534 of 2021

WEB COPY

M.Sakthi Ramalingam

...Petitioner

Vs.

1.The Revenue Divisional officer / Electoral Office,
Sivagangai Division,
Sivagangai District.

2.The Tahsildar,
Thirupuvanam Taluk,
Sivagangai District.

3.The Superintendant of Police,
Sivagangai District,
Sivagangai.

4.The Inspector of Police,
Thirupuvanam Police Station,
Sivagangai District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus directing the respondents to give permission and police protection for celebrating Kaappu kattum festival on 23.03.2021 followed by Panguni Festival of Arulmigu Muthumariamman Temple, Keezhadi Pasiyapuram, Thirupuvanam Taluk, Sivagangai District, scheduled to be held on 30.03.2021 and 31.03.2021.

For Petitioner

: Mr.G.Thalaimutharasu

For Respondents

: Mr.A.Robinson,

Government Advocate (Criminal Side)

ORDER

By consent, this Writ Petition is taken up for final hearing at the admission stage itself.

2.Mr.G.Thalaimutharasu, learned counsel for the petitioner contended that though the petitioner submitted a representation, dated 15.03.2021 seeking permission to celebrate Panguni Festival at Arulmigu Muthumariamman Temple, Keezhadi Pasiyapuram, Thirupuvanam Taluk, Sivagangai District, on 30.03.2021 and 31.03.2021, till date, no action has been taken by the respondents.

3.Mr.A.Robinson, learned Government Advocate (Criminal Side), who appears as a respondent's notice on behalf of the respondents, would contend



that the alleged representation of the petitioner has not yet been received by the respondents. However, he would contend that a Civil Suit in O.S.No.42 of 2008 was filed by one Sonaimuthu against Karandhamalai and Marimuthu, before the Principal District Munsif Court, Manamadurai and the said suit was decreed on 23.12.2009, with a direction to the plaintiff and the defendants in the said suit to worship the deity on rotation basis. According to him, since it is not known as to whose turn is this year, the petitioner should be directed to issue a notice to the rival parties and then file a representation before the first respondent, who is the competent authority to pass appropriate orders.

4. Recording the submissions made by the learned Government Advocate (Criminal Side), the petitioner is directed to issue a notice to the first defendant and the plaintiff or their respective legal representatives in O.S.No.42 of 2008 and then file a representation before the first respondent within a period of four weeks from the date of receipt of a copy of this order / uploading of the order and on receipt of the said representation, the first respondent shall pass appropriate orders based on findings and on merits, within a period of two weeks from the date of receipt of a representation from the petitioner.

5. With the above observation, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

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 Revenue Divisional officer / Electoral Office,
Sivagangai Division,
Sivagangai District.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Tahsildar,
Thirupuvanam Taluk,
Sivagangai District.

3.The Superintendant of Police,
Sivagangai District,
Sivagangai.

4.The Inspector of Police,
Thirupuvanam Police Station,
Sivagangai District.

+1 CC to M/s.G.THALAIMUTHARASU, Advocate (SR-13119[F] dated
23/03/2021)

W.P.(MD)No.6534 of 2021
23.03.2021

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