



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2021

CORAM :

WEB COPY

THE HONOURABLE **Mr.JUSTICE G.ILANGO VAN**

W.P. (MD)No.7650 of 2021

V.Murugesan

...Petitioner

/Vs./

1.The District Collector,
Office of District Collector,
Trichirappalli.

2.The Superintendant of Police,
Office of the Superintendant Police,
Trichirappalli District.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Srirangam,
Trichirappalli District.

4.The Sub Inspector of Police,
Uppiliapuram Police Station,
Uppiliapuram,
Trichirappalli District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the fourth respondent to give adequate protection for the celebration of the Bhagavathiamman, Sri Mariamman Temple's Festival in T.Batherpaettai Village, Thurayir Taluk, Trichi District by considering the petitioner's representation dated 01.03.2021, within the period stipulated as prescribed by this Court.

For Petitioner : Mr.A.Haja Mohideen

For Respondents : Mr.R.Srinivasan

Government Advocate (Criminal Side)

ORDER

This petition has been filed seeking a direction to the fourth respondent to give adequate protection for the celebration of the Sri Bhagavathi Amman, Sri Mariamman Temple's Festival in T.Batherpaettai Village, Thurayir Taluk, Trichy District, by considering the petitioner's representation dated 01.03.2021, within the period stipulated by this Court.



2.The case of the petitioner is that Sri Bhagavathiamman and Sri Mariamman Temple are situated in the middle street and it belongs to the entire village community. Every year all the village peoples are celebrating the festival jointly by collecting contribution from the villagers. This was continued several years without any problem. Later, some persons sold some of the temple properties illegally. When it came to the notice of the villagers, some of the people filed a suit in O.S.No.162 of 2007, which is still pending. Thereafter, the said temple was brought under the management of the third respondent, which was challenged in W.P(MD) No.9111 of 2009 and the same was dismissed.

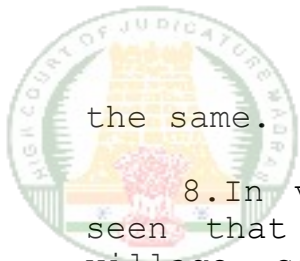
3.The further case of the petitioner is that during 2017, kumbabishegam was celebrated, at that time dispute arose between the villagers and thereafter, the matter was settled in the presence of the third respondent and kumbabishegam was performed without any first respect to any one. During 2019, Aani chariot festival was arranged, at that time some of the people created trouble. So peace committee meeting was held on 16.05.2019 and the Tashildar formed the five members committee for conducting the festival. This caused some of the people aggravated. In the year 2020, due to the COVID-19, festival was not conducted. Now the village people decided to conduct the festival and started making arrangements. At that time, some of the people made a trouble. So in order to prevent those peoples from making any trouble, a representation was sent by the petitioner on 01.03.2021, seeking protection for celebrating the festival.

4.With the consent of the parties, this writ petition is taken up for disposal.

5.According to the learned counsel for the petitioner, the petitioner made all arrangements to conduct the temple festival in a peaceful manner and some of the people are making trouble. Hence, a direction may be issued to the fourth respondent by this Court to give adequate protection for celebrating the temple festival.

6.A perusal of the records shows that during 2018 itself, a peace committee meeting was conducted in the presence of the villagers and the committee consisting of 10 members was formed to conduct kumbabishegam in a peaceful manner, because of the trouble arose between two groups with regard to first respect. Similarly, in the year 2019 also a peace committee meeting was held, in which there was a compromise, but one of the group did not agree for that. Now, for conducting a temple festival, a representation seems to have been given by the petitioner on 01.03.2021.

7.The learned Government Advocate (Criminal Side) would submit that a direction may be issued by this Court to conduct a peace committee meeting by the fourth respondent, who will in turn comply



the same.

8.In view of the submission made by both the parties, it is seen that because of the trouble created by one group in the village, continuously peace committee meetings were conducted by the official for performing the festival in a peaceful manner. At one stage, this Court suggested the petitioner to approach the mediation centre for permanent settlement. But according to them, it may not be possible, since the festival is to be conducted in a short time.

9.Considering his request and taking into account the submission made by the learned Government Advocate (crl.side), there shall be a direction to the fourth respondent herein to conduct the peace committee meeting in the presence of the third respondent herein to work out the possibility of conducting festival in a peaceful manner, subject to the order to be passed by the State Government in the present day Covid-19 situation and the same may be arranged within a period of fifteen days from the date of receipt of a copy of this order. It is made clear that in the event of performing the festival, no first respect will be given to any one.

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

Sd/-

Assistant Registrar(P & A)

// 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 District Collector,
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- 2.The Superintendant of Police,
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<https://hcservices.ecourts.gov.in/hcservices/>



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