



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) No.22126 of 2021

and

W.M.P. (MD) No.18714 of 2021

WEB COPY

Palanikumar

... Petitioner

vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Tahsildar,
Sathur Taluk,
Virudhunagar District.

3.The Inspector of Police,
Sathur Police Station,
Virudhunagar District.

4.The President,
Mettamalai Village,
Sathur Taluk,
Virudhunagar District.

5.Heavenly Power Trust,
Through its Managing Trustee,
Mrs.J.M.Salomi,

6.A.Irudhaya Selvaraj

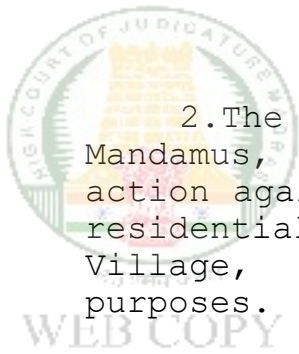
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to take action against the respondents 5 and 6 for illegally use a residential building constructed in S.No.200/1A2 situated at Mettamalai Village, Sathur Taluk, Virudhunagar District, for religious purpose.

For Petitioner	: Mr.Karthikeyavenkitachalapathy
For R1 to R3	: Mr.S.Shanmugavel Additional Government Pleader
For R4	: M/s.D.Faujana Ghoushia Special Government Pleader

O R D E R

Mr.S.Shanmugavel, learned Additional Government Pleader, accepts notice on behalf of respondents 1 to 3 and M/s.D.Faujana Ghoushia, accepts notice on behalf of the third respondent.



2.The writ petition has been filed in the nature of Writ of Mandamus, seeking a direction to the respondents 1 to 3 to take action against the respondents 5 and 6 for alleged illegal use of a residential building constructed in S.No.200/1A2 at Mettamalai Village, Sathur Taluk, Virudhunagar District, for religious purposes.

3.I am not preferred to grant any relief as sought for in the writ petition. I am informed that there is a peace committee meeting which has been called for by the respondents 1 to 4 and notice had also been issued to the petitioner herein. Since a meeting is being conducted, it is only appropriate that the petitioner participates in the said meeting.

4.The learned counsel for the petitioner admits that notice was issued. It is claimed by the petitioner that he had appeared during the meeting, but that the respondents 5 and 6 did not appear.

5.However, according to the learned Additional Government Pleader, none of the parties are appeared.

6.If the petitioner seeks to place any claim on the basis of religion, he must realize that a fundamental principle of any religion is tolerance. If he is not able to tolerate any other particular practice, then he cannot himself claim to be a religious person.

7.Let the participate in the peace committee meeting convened by the officials and let the respondents take a decision. It is not for this Court under Article 226 of the Constitution of India to examine the rights and duties of either the petitioner or the respondents 5 and 6 particularly relating to their religious practices.

8.Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

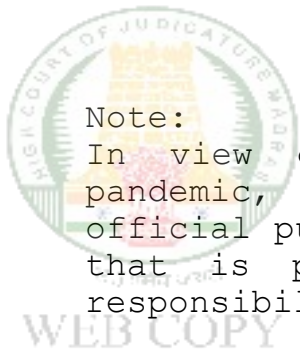
Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sjj



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,
Virudhunagar District,
Virudhunagar.
- 2.The Tahsildar,
Sathur Taluk,
Virudhunagar District.
- 3.The Inspector of Police,
Sathur Police Station,
Virudhunagar District.
- 4.The President,
Mettamalai Village,
Sathur Taluk,
Virudhunagar District.

+1 CC to M/s.SPL GP (SR-38852[F], SR-39059[F dated 15/12/2021)

+1 CC to M/s.M.KARTHIKEYA VENKATACHALAPATHY, Advocate (SR-38558[F] dated 14/12/2021)

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