



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 28.04.2022

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P (MD) .No.4110 of 2020

Arulmigu Rakkachiamman Thirukkivil,
Rep. by its President/Dharmakartha,
P.Rakkappa Thevar,
Vazhaikulam Village,
Srivilliputhur Taluk,
Virudhunagar District.

... Petitioner

Vs.

- 1.The District Collector,
Office of the Collectorate,
Virudhunagar.
- 2.The Revenue Divisional Officer,
The Revenue Divisional Office,
Sivakasi.
- 3.The Thasildar,
Taluk Office,
Srivilliputhur.
- 4.R.Rakkappapillai
- 5.Kannan

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the third respondent from in any way interfering with the Poojari rights of the petitioner in the guise of conducting Peace Committee Meeting and pressurizing the petitioner to share the key with the respondents 4 and 5 in contravention to the interim injunction made in I.A.No.130 of 2015 in A.S.No.57 of 2015 on the file of Sub Court, Srivilliputhur.

For Petitioner : Mr.D.Senthil

For R1 to R3 : Mr.P.Subbaraj
Special Government Pleader

For R4 & R5 : Mr.AR.Jeyarhuthran



ORDER

This writ petition has been filed for a writ of Mandamus to forbear the third respondent from in any way interfering with the Poojari rights of the petitioner in the guise of conducting Peace Committee Meeting and pressurizing the petitioner to share the key with the respondents 4 and 5 in contravention to the interim injunction made in I.A.No.130 of 2015 in A.S.No.57 of 2015 on the file of Sub Court, Srivilliputhur.

2. It appears that the petitioner had earlier filed a suit in O.S.No.258 of 2012, which came to be dismissed by the Trial Court vide judgment and decree dated 08.07.2015. The said suit was filed to restrain the private respondents herein from interfering with the worship and conduct of temple festival in Rakkatchiamman Temple by encroaching or raising any construction in the in the vacant portion lying south to the temple and for costs. Aggrieved by the same, the same petitioner appears to have filed appeal suit before the Sub Judge, Srivilliputhur in A.S.No.57 of 2015. The said appeal appears to be still pending before the Sub Court, Srivilliputhur.

3. During the interregnum in the year 2015, a peace was brokered by the third respondent in view of the dispute between the petitioner and the private respondents, namely 4 and 5 herein.

4. The learned Special Government Pleader for the respondents 1 to 3 categorically stated that Peace Committee Meeting was held on 12.10.2019, 07.08.2021 and 19.08.2021 respectively between the petitioner and the private respondents herein along with the group of persons who participated in the meeting. Apart from the rival groups, Deputy Superintendent of Police, Srivilliputhur, Inspector of Police, Mamsapuram, Zonal Deputy Tahsildar, Srivilliputhur and Revenue Inspector, Pillaiyarkulam had also participated.

5. It is further submitted that the Peace Committee Meeting was held only for the conduct of temple festival during the year 2015-2016. It is therefore submitted nothing further survives for adjudication as the proceedings itself for the year 2015 festival. It is further submitted that the necessity for the third respondent to broker a Peace in the Peace Committee Meeting between the rival parties was on account of the enmity between the petitioner and the private respondents.

6. Recording the above submission of the learned Special Government Pleader for the respondents 1 to 3 that the Peace Committee Meeting was only for the year 2015 and that no further orders have been passed and if at all it is for the petitioner and the third respondent to work out their remedy under the provisions of the Hindu Religious and Charitable Endowments Act, 1959.



7. The writ petition stands dismissed as no further orders are required in the light of the above submissions of the learned Special Government Pleader for the respondents 1 to 3. No costs.

WEB COPY

Sd/-

Assistant Registrar(C.O)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

- 1.The District Collector,
Office of the Collectorate,
Virudhunagar.
- 2.The Revenue Divisional Officer,
The Revenue Divisional Office,
Sivakasi.
- 3.The Thasildar,
Taluk Office,
Srivilliputhur.

+1 CC to M/s.D. SENTHIL, Advocate (SR-22413[F] dated 29/04/2022)

+1 CC to M/s.AR. JEYARHUTHRAN, Advocate (SR-22555[F] dated 29/04/2022)

+1 CC to M/s.SPL.GP (SR-23203[F] dated 02/05/2022)

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Date:28.04.2022

SA(25.05.2022) 3P 7C