



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.03.2022

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD).No.4988 of 2022
and
W.M.P(MD).No.4123 of 2022

C.Sivagurunathan

... Petitioner

Vs.

- 1.The District Collector,
Sivagangai District,
Sivagangai.
 - 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Sivagangai Division,
Sivagangai District.
 - 3.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.
 - 4.The Tahsildar,
Thiruppathur Taluk,
Sivagangai District.
 - 5.The District Superintendent of Police,
Office of the District Superintendent of Police,
Sivagangai,
Sivagangai District.
 - 6.The Inspector of Police,
Nachiyarpuram Police Station,
Sivagangai District.
 - 7.R.M.Shanmuga Velar
 - 8.Karu.Palanisamy Velar
 - 9.AL.Ramasamy Velar
- ...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 6 to forbear the respondents 7 to 9 from conducting "Kumbabhishekam" temple function on 23.03.2022 in Karpaga Vinayagar Kovil situated at Karukudi



Village, Illangudi Panchayat, Alangudi Post, Managiri Via, Thiruppathur Taluk, Sivagangai District based on the representation of the petitioner dated 08.03.2022.

For Petitioner : Mr.G.Kannan
For R1 to R6 : Mr.P.T.Thiraviam
Government Advocate

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ORDER

The petitioner has filed this writ petition for a writ of Mandamus to forbear the respondents 7 to 9 from conducting "Kumbabhishekam" temple function on 23.03.2020 in Karpaga Vinayagar Kovil situated at Karukudi Village, Illangudi Panchayat, Alangudi Post, Managiri Via, Thiruppathur Taluk, Sivagangai District, based on the representation of the petitioner, dated 08.03.2022.

2. The writ petition has numbered and brought up for admission at the last minute before the temple festival on 23.03.2022. On this ground alone, the writ petition is liable to be dismissed.

3. That apart, the Inspector of Police has given a clear findings that there is no scope for any communal clash near the temple in his report, dated 22.03.2022, which has been filed by the learned Government Advocate for the respondents 1 to 6.

4. Similarly, the Hindu Religious and Charitable Endowments Department has also clarified that on the basis of the complaint and the Peace Committee Meeting held on 09.08.2019, pertains to a different temple and not to the temple in question, namely, Karpaga Vinayagar Kovil situated at Karukudi Village, Illangudi Panchayat, Alangudi Post, Managiri Via, Thiruppathur Taluk, Sivagangai District. It is submitted that the said Peace Committee Meeting pertains to a different village called Saththa Ayyanar Thirukovil.

5. Both the temples are situated at a distance of 1000 metres away and therefore irrelevant. There is a private dispute between the private respondents and the jurisdiction of this writ petition is being used for starting the temple festival. The petitioner and other members from the public are entitled to participate in the temple festival without any discrimination. Therefore, the writ petition is liable to be dismissed and accordingly dismissed with the above observations. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



To

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Sivagangai Division,
Sivagangai District.
- 3.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.
- 4.The Tahsildar,
Thiruppathur Taluk,
Sivagangai District.
- 5.The District Superintendent of Police,
Office of the District Superintendent of Police,
Sivagangai,
Sivagangai District.
- 6.The Inspector of Police,
Nachiyarpuram Police Station,
Sivagangai District.

+1 CC to M/s.SPL GP (SR-13922[F] dated 23/03/2022)

W.P(MD) .No.4988 of 2022
22.03.2022

kg(CO)

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