



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.03.2022

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.5711 of 2022

and

W.M.P. (MD) .No.4556 of 2022

Thanapal

... Petitioner

Vs.

- 1.The District Collector,
Pudukkottai District.
- 2.The Superintendent of Police,
Pudukkottai District.
- 3.The Tahsildar,
Alangudi Taluk,
Pudukkottai District.
- 4.The Inspector of Police,
Vallatharakottai Police Station,
Pudukkottai District.
- 5.The Executive Officer,
HR and CE,
Senthakudi Malai Mariamman Temple,
Near Vittoba Perumal Kovil,
Pudukkottai District.

6.Ramaiah

7.Thirunavukarasu

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents No.1 to 5 to take action against the respondents No.6 and 7 for not permitting the petitioner to worship Lord Malai Mariamman during the Poochorithal festival held on 20.03.2022 and to ensure the petitioner worshipping right on the 7th day Managapady to be held on 02.04.2022 by considering the petitioner's representation dated 21.03.2022.



For Petitioner : Mr.R.Balakrishnan
For R-1 to R-4 : Mr.D.Sasikumar,
Additional Government Pleader.
For R-5 : Mr.G.Mathavan,
Standing Counsel.

WEB COPY

ORDER

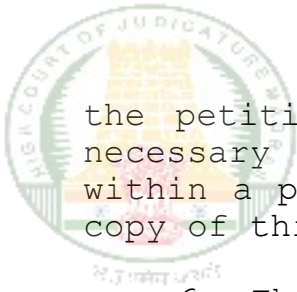
This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents No.1 to 5 to take action against the respondents No.6 and 7 for not permitting the petitioner to worship Lord Malai Mariamman during the Poochorithal festival held on 20.03.2022 and to ensure the petitioner worshipping right on the 7th day Managapady to be held on 02.04.2022 by considering the petitioner's representation dated 21.03.2022 within a time frame to be fixed by this Court.

2. It is the contention of the petitioner that he belongs to Therkupatti Village. According to him, he and his village people were not allowed to worship Lord Malai Mariamman during the poochorithal festival held on 20.03.2022 by the respondents 6 and 7. The petitioner has also lodged a complaint with the official respondents on 21.03.2022 requesting them to take action against the respondents 6 and 7. The said representation has not been considered till date. In such circumstances, the petitioner has filed this Writ Petition.

3. Heard Mr.R.Balakrishnan, learned counsel for the petitioner, Mr.D.Sasikumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 to 4 and Mr.G.Mathavan, learned Standing Counsel, who accepts notice on behalf of the fifth respondent.

4. No prejudice will be caused to the respondents, if the petitioner's representation, dated 21.03.2022 is considered on merits and in accordance with law after affording a fair hearing to the petitioner as well as the respondents 6 and 7 and any other necessary party, whom the third respondent deems fit to enquire.

5. Accordingly, this Court directs the third respondent to consider the petitioner's representation, dated 21.03.2022 requesting the respondents 1 to 5 to take action against the respondents No.6 and 7 for not permitting the petitioner to worship Lord Malai Mariamman during the Poochorithal festival held on 20.03.2022 and to ensure the petitioner worshipping right on the 7th day Managapady to be held on 02.04.2022 and pass final orders on merits and in accordance with law, after affording a fair hearing to



the petitioner as well as the respondents 6 and 7 and any other necessary party, whom the third respondent deems fit to enquire, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. The petitioner and the other village people belonging to Therkupatti Village are permitted to worship the deity of Lord Malai Mariamman on 02.04.2022 provided they do not cause any law and order problem and do not cause any hindrance to other worshippers. In case, any law and order problem is created by the petitioner or any other villager belonging to Therkupatti Village, the official respondents shall initiate legal action against them.

7. With the aforesaid direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

Lm

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,
Pudukkottai District.
2. The Superintendent of Police,
Pudukkottai District.
3. The Tahsildar,
Alangudi Taluk,
Pudukkottai District.
4. The Inspector of Police,
Vallatharakottai Police Station,
Pudukkottai District.



5.The Executive Officer,
HR and CE,
Senthakudi Malai Mariamman Temple,
Near Vittoba Perumal Kovil,
Pudukkottai District.

WEB COPY

+1 CC to M/s.SPL GP (SR-15656[F] dated 31/03/2022)

+1 CC to M/s.R.BALAKRISHNAN, Advocate (SR-15768[F] dated 31/03/2022)

**W.P. (MD) .No.5711 of 2022
30.03.2022**

RD(04.04.2022) 4P 8C