



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.7358 of 2022
and W.M.P. (MD) .No.5584 of 2022

A.Mahendran

.. Petitioner

Vs

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 3.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.
- 4.The Tahsildar,
Thiruppathur Taluk,
Sivagangai District.
- 5.The Inspector of Police,
Thiruppathur Police Station,
Sivagangai District.
- 6.M.Pandian
- 7.K.Alagu

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 5 herein to take appropriate action against the respondents 6 and 7 herein and their men for excommunicating the petitioner and his relatives from participating the Chithirai Padaippu festival of Sri Pathinettampadi Karuppar Kovil situated in the petitioners village Nattarmangalam, Kottaiyiruppu Post, Thiruppathur Taluk, Sivagangai District, scheduled to be held on 23.04.2022.

For Petitioner : Mr.T.Veerakumar

For Respondents : Mr.D.Sasikumar for R1 to R5

Additional Government Pleader



ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 5 herein to take appropriate action against the respondents 6 and 7 herein and their men for excommunicating the petitioner and his relatives from participating in the Chithirai Padaippu festival of Sri Pathinettampadi Karuppar Kovil situated in the petitioners village Nattarmangalam, Kottaiyiruppu Post, Thiruppathur Taluk, Sivagangai District, scheduled to be held on 23.04.2022, based on the petitioner's representation, dated 11.04.2022, within a time frame to be fixed by this Court.

2.The petitioner's grievance is that he and his relatives have been ex-communicated from worshipping in the aforementioned temple and also participating in the festival scheduled to take place on 23.04.2022, by the 6th and 7th respondents, who are managing the temple. The petitioner has given a representation on 11.04.2022, to the official respondents to take action against the 6th and 7th respondents. He has also sought permission to attend the festival for the said temple scheduled to take place on 23.04.2022. Since the representation has not been considered till date, he has filed this writ petition.

3.Heard Mr.T.Veerakumar, learned counsel appearing for the petitioner and Mr.D.Sasikumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 to 5.

4.No prejudice will be caused to the respondents, if the petitioner's representation, dated 11.04.2022, is considered on merits and in accordance with law, before the scheduled date of the temple festival, which falls on 23.04.2022. The petitioner only seeks permission to worship the God and participate in the Chithirai Padaippu Festival, which is scheduled to take place on 23.04.2022. Since the festival is scheduled to take place on 23.04.2022, the representation of the petitioner has to be considered before that date by the fourth respondent.

5.For the foregoing reasons, this Court directs the fourth respondent to consider the petitioner's representation, dated 11.04.2022, requesting the fourth respondent to take action against the 6th and 7th respondents and also permit the petitioner and his relatives to participate in the Chithirai Padaippu festival of Sri Pathinettampadi Karuppar Kovil situated in the petitioner's village Nattarmangalam, Kottaiyiruppu Post, Thiruppathur Taluk, Sivagangai District and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and the respondents 5 and 6 and any other rival claimant, whom the fourth respondent deems fit to enquire, on or before 22.04.2022.



6. With the aforesaid directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

TM

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,
Sivagangai District, Sivagangai.

2. The Superintendent of Police,
Sivagangai District, Sivagangai.

3. The Revenue Divisional Officer,
Devakottai, Sivagangai District.

4. The Tahsildar,
Thiruppathur Taluk, Sivagangai District.

5. The Inspector of Police,
Thiruppathur Police Station,
Sivagangai District.

+1 CC to M/s.T. VEERA KUMAR, Advocate (SR-19818[F] dated 20/04/2022)

+1 CC to M/s.SPL.GP (SR-20075[F] dated 21/04/2022)

W.P. (MD)No.7358 of 2022

20.04.2022

SG(CO)

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