



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.7713 of 2022

Subbaiah

... Petitioner

Vs.

1.The District Collector,
Office of the Collectorate,
Korampallam,
Thoothukudi,
Thoothukudi District.

2.The Tahsildar,
Office of the Tahsildar,
Ettaiyapuram Taluk,
Ettaiyapuram,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent herein to grant permission on 26.04.2022 and 27.04.2022 to conduct village temple festival of Santhanamariyamman - Madasmy temple situated at Lakkammal Devi, Pungavarnatham Majara, Cholapuram (Small-Taluk), Ettaiyapuram Taluk, Thoothukudi District by considering the petitioner's representation dated 18.04.2022.

For Petitioner : Mr.D.Senthil
for Mr.R.Riyaz Mohamed

For Respondents 1&2 : Mr.M.Lingadurai
Special Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the second respondent to grant permission to the petitioner to conduct Village temple festival on 26.04.2022 and 27.04.2022 of Santhanamariyamman - Madasmy temple situated at Lakkammal Devi, Pungavarnatham Majara, Cholapuram (Small-Taluk),

<https://hdservices.mca.gov.in/hservices/>



Ettaiyapuram Taluk, Thoothukudi District, based on the petitioner's representation dated 18.04.2022, within a time frame to be fixed by this Court.

2.The petitioner claims that under a Peace Committee Meeting dated 12.04.2022 it was resolved amicably that the two groups one belonging to the Scheduled Caste community and the other belonging to the Maravar community were permitted to conduct temple festival on specified dates. However, according to the petitioner who belongs to the Scheduled Caste community, he has been prevented from conducting the temple festival on the specified dates. As no permission has been granted till date by the official respondents, the petitioner has given a representation on 18.04.2022, seeking permission to conduct temple festival on 26.04.2022 and 27.04.2022 as per the Peace Committee Meeting resolution dated 12.04.2022 conducted by the Tahsildar. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

3.Heard Mr.D.Senthil for Mr.R.Riyaz Mohamed, learned Counsel appearing for the writ petitioner and Mr.M.Lingadurai, learned Special Government Pleader who accepts notice on behalf of the respondents.

4.As seen from the Peace Committee meeting resolution dated 12.04.2022, which is annexed along with this writ petition, both the communities referred to supra have agreed to conduct temple festival on different dates. However, learned Special Government Pleader appearing for the respondents would submit that even amongst the SC community, there are two groups and therefore, it may create law and order problem and that is the reason why the petitioner's representation has not been considered till date. However, the same is disputed by the learned Counsel for the petitioner.

5.No prejudice would be caused to the respondents if a decision is taken based on the Peace Committee Meeting Resolution dated 12.04.2022 as to whether the petitioner can be permitted to conduct the temple festival on 26.04.2022 and 27.04.2022 or not, after affording a fair hearing to the petitioner before the said dates of the festival.

6.For the foregoing reasons, this Court directs the second respondent to pass final orders on the petitioner's representation dated 18.04.2022 seeking permission to conduct the Village temple festival of Santhanamariyamman - Madasmy temple situated at Lakkammal Devi, Pungavarnatham Majara, Cholapuram (Small-Taluk), Ettaiyapuram Taluk, Thoothukudi District, in the light of the Peace Committee Meeting resolution dated 12.04.2022, after affording a fair hearing to the petitioner and other necessary parties whom the second respondent deems fit to enquire on or before **25.04.2022**.



7. With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs.

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/TRUE COPY/

Sd/-
Assistant Registrar(CS III)

22/04/2022
Sub Assistant Registrar(CS)

To

1. The District Collector,
Office of the Collectorate,
Korampallam,
Thoothukudi,
Thoothukudi District.

2. The Tahsildar,
Office of the Tahsildar,
Ettaiyapuram Taluk,
Ettaiyapuram,
Thoothukudi District.

3 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1 CC to M/s.R. MOHAMED RIYAZ, Advocate (SR-20595[F] dated
22/04/2022)

ORDER MADE IN
W.P. [MD]No.7713 of 2022
22.04.2022

MK/22.04.2022/3P/5C