



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.04.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.8388 of 2022

Kesirajan

... Petitioner

/Vs./

1.The District Collector,
Madurai District, Madurai.

2.The Tahsildar,
Office of the Tahsildar,
Melur, Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondent No.1 to take necessary action to ensure the "Muthalkarai Respects" provided to the petitioner for the Festivals conducted in Keeranur Village, Melur Taluk, Madurai District being the Customary practice of his family by considering the representation dated 25.02.2022 and 16.03.2022.

For Petitioner : Mr.R.Maheswaran for
Mr.C.Susi Kumar

For Respondents : Mr.T.Amjad Khan,
Government Advocate.

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondent No. 1 to take necessary action to ensure the "Muthalkarai Respects" provided to the petitioner for the Festivals conducted in Keeranur Village, Melur Taluk, Madurai District, being the Customary practice of the petitioner's family by considering the representation dated 25.02.2022 and 16.03.2022, within a time frame to be fixed by this Court.

2.According to the petitioner, he is the eldest member of the family. He should be given the first respect to conduct the festival. Earlier, a peace committee meeting was held and in the said peace committee meeting, he was forced to sign the resolution granting an alternate turn between the petitioner and his brother for conducting the festival. Therefore, the petitioner has given representations on 25.02.2022 and 16.03.2022 requesting the first respondent to take a final decision on the ground that he has been forcibly made to accept the peace committee resolution, which has been passed earlier as stated supra. Since no final orders are



passed till date, the petitioner has filed this writ petition.

3.Heard Mr.R.Maheswaran, learned Counsel for the writ petitioner and Mr.T.Amjad Khan, learned Government Advocate, who accepts notice on behalf of the respondents.

4.No prejudice would be caused to the first respondent, if the petitioner's representations as stated supra are considered on merits and in accordance with law, after affording a fair hearing to the petitioner and other necessary party, whom the first respondent deems fit to enquire including granting them the right of personal hearing.

5.For the foregoing reasons, this Court directs the first respondent to consider the petitioner's representations dated 25.02.2022 and 16.03.2022 and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and any other necessary party, whom the first respondent deems fit to enquire, including granting them the right of personal hearing, within a period of four (4) weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The District Collector,
Madurai District, Madurai.

2.The Tahsildar,
Office of the Tahsildar,
Melur, Madurai District.

+1 CC to M/s.SPL.GP (SR-23401[F] dated 04/05/2022)

W.P. [MD]No.8388 of 2022

29.04.2022

RD(23.05.2022) 2P 4C