



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 02.06.2022

CORAM:

THE HONOURABLE **MRS.JUSTICE R. THARANI**

WP(MD)No.10584 of 2022

and

W.M.P(MD).No.7718 of 2022

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Muthaiyan

... Petitioner

Vs.

- 1.The District Collector,
Collector Office,
Dindigul, Dindigul District.
- 2.The District Revenue Officer,
District Revenue Office,
Dindigul, Dindigul District.
- 3.The Tahsildar,
Taluk Office,
Aathoor, Aathoor Taluk,
Dindigul District.
- 4.The Superintendent of Police,
Office of Superintendent of Police,
Dindigul, Dindigul District.
- 5.The Inspector of Police,
Chinnalapatti Police Station,
Chinnalapatti, Dindigul District.
- 6.Selvakumar
- 7.Bommuraj

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorarified Mandamus calling for the records relating to impugned order dated 24.05.2022 passed by the fifth respondent and quash the same and in consequence direct the fourth and fifth respondents to permit the petitioner to celebrate festival from 07.06.2022 to 09.06.2022 at village common place of Ariyanallur, Munnilaikottai Village, Aathoor Taluk, Dindigul District.

For Petitioner
For R1 to R5

:Mr.B.Rajesh Saravanan
:Mr.M.Muthumanikkam
Counsel for Government of
Tamilnadu (Crl.side)



O R D E R

This writ petition has been filed seeking for a Writ of Certiorarified Mandamus calling for the records relating to impugned order dated 24.05.2022 passed by the fifth respondent and quash the same and consequently, direct the fourth and fifth respondents to permit the petitioner to celebrate festival from 07.06.2022 to 09.06.2022 at village common place of Ariyanallur, Munnilaikottai Village, Aathoor Taluk, Dindigul District.

2.On the side of the petitioner, it is stated that for the past ten years, the temple festival was not conducted due to some dispute among the villagers. Now, the petitioner wants to conduct the festival in a common place and not in the disputed temple. Hence, he prays permission for conducting the temple festival.

3.On the side of the respondents, it is stated that now both the parties entered into a compromise and that there is no objection in conducting the festival.

4.In view of the above, the impugned order dated 24.05.2022 passed by the fifth respondent is quashed and accordingly, the Writ Petition is allowed with the following conditions:

(i) the petitioner is permitted to worship God in the temporary shed to be put up by the petitioner and no permission is granted for conducting any adal padal programme.

(ii) The petitioner is permitted to conduct the temple festival in a peaceful manner, without disturbing anybody else.

(iii) The respondent police is directed to give necessary protection and ensure that no law and order problem is prevailing in that area. (iv) No loud speaker shall be used after 09.00 p.m.

(iv) If there is any violation of the above said conditions, the respondents or the duly authorised officer is entitled to take necessary action as per law and stop such performance.

(v) no flex boards in support of any political party or religious leader be erected;

(vi) the festival should not affect either religious or communal harmony and shall be conducted without any discrimination based on caste;

(vii) if any untoward incident takes place, the organizers of the festival be made responsible for the same.



Consequently, connected W.M.P(MD).No.7718 of 2022 is closed. No costs.

Sd/-

Vacation Officer

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06/06/2022

Sub Assistant Registrar(CS)

rmk/cp

To

- 1.The District Collector,
Collector Office,
Dindigul, Dindigul District.
- 2.The District Revenue Officer,
District Revenue Office,
Dindigul, Dindigul District.
- 3.The Tahsildar,
Taluk Office,
Aathoor, Aathoor Taluk,
Dindigul District.
- 4.The Superintendent of Police,
Office of Superintendent of Police,
Dindigul, Dindigul District.
- 5.The Inspector of Police,
Chinnalapatti Police Station,
Chinnalapatti, Dindigul District
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

WP(MD)No.10584 of 2022

02.06.2022

MGJ(06.06.2022) 3P 7C