



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.06.2022

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.A(MD)No.495 of 2022

M.Muthusamy

... Appellant/3rd Petitioner

Vs.

1.The Revenue Divisional Officer,
Usilampatti Revenue Division,
Usilampatti,
Madurai District.

2.The Deputy Superintendent of Police,
Usilampatti Division,
Usilampatti Taluk,
Madurai District.

3.The Tahsildar,
Usilampatti Taluk,
Usilampatti,
Madurai District.

4.The Sub-Inspector of Police,
Vaalanthoor Police Station,
Usilampatti Taluk,
Madurai District.

5.Ramesh

6.Ramathevar

7.Thonthi

8.Karthikraja

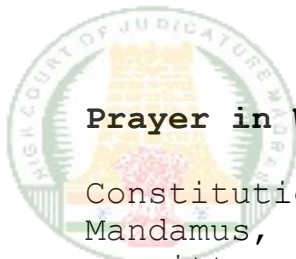
...Respondents 1 to 8/Respondents

9.P.Paulraj

10.Kathirkannan

...Respondents 9 & 10/
Petitioners 1 & 2

PRAYER: Appeal filed under Clause 15 of Letter Patent, to set aside the order, dated 05.05.2022 passed in W.P(MD)No.9382 of 2022 on the file of this Court.



Prayer in WP(MD). 9382/ 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus, directing the respondents 1 to 4 to call for a peace committee meeting as per the representation made by the petitioners dated 26.03.2022 and to take appropriate action to remove the village name mentioned in the name of the four devar groups in Kumbabishekam invitation of Arulmighu Angaala Eswari and Arulmighu Vaalagurunadha Swami Temple in Vaalanthoo Village, Usilampatti Taluk, Madurai District within the time limit prescribed by this Honourable Court and pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances of the case and thus render

For Appellant : Mr.T.Palanisamy

For RR 1 to 4 : Mr.A.Baskaran
Additional Government Pleader

For R - 5 : Mr.G.Thalaimutharasu

J U D G M E N T

(Judgment of the Court was delivered by G.JAYACHANDRAN, J.)

Heard the learned counsel for the appellant, the learned Additional Government Pleader for respondents 1 to 4 and the learned counsel for the fifth respondent.

2.This Writ Appeal is directed against the order of the learned Single Judge, dated 05.05.2022.

3.The appellant herein sought for a Mandamus directing the respondents 1 to 4 to call for peace committee meeting and to take appropriate action to remove the Village name mentioned in the four Devar groups in the Kumbabishekam invitation of Arulmighu Angaala Eswari and Arulmighu Vaalagurunadha Swami Temple in Vaalanthoor Village, Usilampatti Taluk, Madurai District.

4.The learned Single Judge, after considering the fact and the averments made in the affidavit, held that there is no justification to issue Mandamus for the reason averred in the Writ Petition to direct the authorities to ensure that the Village name of the respondents 5 to 8 should not be mentioned in the banners or posters or cut-outs.

5.This Court when put a pointed question to the learned counsel for the appellant whether mentioning the Village name amounts to any illegality or inconvenience to the appellant, the learned counsel for the appellant would submit that four Devar Community, which conduct the festival by mentioning their Village name, tries to discriminate the other Villagers.



6.This Court does not find any plausible justification in such submissions and to interfere with the order of the learned Single Judge. Hence, the Writ Appeal is dismissed. No costs.

Sd/-

Vacation Officer

WEB COPY

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

pm/ps

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 Revenue Divisional Officer,
Usilampatti Revenue Division,
Usilampatti,Madurai District.
- 2.The Deputy Superintendent of Police,
Usilampatti Division,
Usilampatti Taluk,Madurai District.
- 3.The Tahsildar,
Usilampatti Taluk,
Usilampatti,Madurai District.
- 4.The Sub-Inspector of Police,
Vaalanthoor Police Station,
Usilampatti Taluk,Madurai District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T. PALANISAMY, Advocate (SR-24239[F] dated 02/06/2022)

+1 CC to M/s.SPL.GP (SR-24266[F] dated 02/06/2022)

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01.06.2022

MGJ(09.06.2022) 3P 8C