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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)No.13957 of 2022

M.Sorimuthu

... Petitioner

vs.

1.The Revenue Divisional Officer,
Tuticorin,
Tuticorin District.

2.A.Sorimuthu

3.S.Velayutham

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the first respondent to hand over the key of Sree Marudhamaram Sudalaimadasamy Temple to the petitioner which is situated at Varthagareddipatti Village, Tuticorin Taluk, Tuticorin District for conducting temple festival scheduled from 12.07.2022 and 19.07.2022 as per proceedings dated 04.07.2000 passed by the first respondent by considering the petitioner's representation dated 26.05.2022.



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For Petitioner : Mr.J.Senthil Kumaraiah
For R1 : Mr.K.Balasubramani
Special Government Pleader
For R2 : Mr.R.J.Karthick
For R3 : Mrs.P.Rohini

ORDER

Heard the learned counsel on either side.

2. The case concerns celebration of the petition mentioned temple festival. Since a dispute arose between the writ petitioner on the one hand and the second respondent on the other, proceedings under Section 145 of Cr.P.C were taken and the key is now with the Revenue Divisional Officer/R1.

3. The petitioner and the second respondent have now come to an amicable understanding. In view of the same, the Revenue Divisional Officer is directed to hand over the key to the writ petitioner on 09.07.2022 so that the petitioner Vagaira can celebrate the temple festival from 12.07.2022 to 19.07.2022. Abayamtheertha Pillai Vagaira represented by the second respondent can celebrate the temple festival from 02.08.2022 to 09.08.2022. After the petitioner's turn is over, the key will be handed over to the Revenue Divisional Officer / R1 and the Revenue Divisional Officer will in turn hand over the key to the second respondent on 30.07.2022.



4. The learned counsel appearing for the third respondent is of-course strongly opposing the writ prayer.

5. It is stated at the instance of the third respondent that the temple was sought to be brought under the supervision of HR & CE Department. The said move was questioned by the writ petitioner & R2 in W.P.(MD)Nos.12631 & 15745 of 2021 respectively and interim orders of stay were also granted and the interim orders were still in force. Therefore, the third respondent may not really have much of a say in this matter.

6. This Writ Petition is allowed accordingly. No costs.

08.07.2022

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NOTE:Issue Order copy on 08.07.2022

To

The Revenue Divisional Officer,
Tuticorin,
Tuticorin District.



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G.R.SWAMINATHAN, J.

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