



W.P(MD)No.17357 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.17357 of 2022

and

W.M.P.(MD)No.12658 of 2022

Murugan

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

2.The Tahsildar,
Devakottai,
Sivagangai District.

3.The Inspector,
Devakottai Town Police Station,
Devakottai,
Sivagangai District.

4.S.Nagalingam

5.S.Muthaiah

6.A.R.Lakshmanan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the 2nd respondent herein in



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Na.Ka. No.A2/3028 of 2022 dated 29.07.2022 and quash the same as arbitrary, without jurisdiction and illegal and allow the temple festivals scheduled on 05.08.2022 to 07.08.2022 in Arulmighu Sri Thathathreya Muneeswarar Thirukovil in Eragusery, Devakottai Taluk, Sivagangai District.

For Petitioner : Mr.H.Lakshmi Shankar

For Respondents : Mr.M.Sarangan,
Addl. Government Pleader for R1 to R3.
Mr.K.Saravanan for R4.
Mr.G.Thalaimutharasu for R5.
Mr.M.Rajarajan for R6.

ORDER

Heard the learned counsel on either side.

2.By the impugned order, the Tahsildar, Devakottai had informed the parties concerned that permission to conduct the petition mentioned temple festival has not been granted. It appears that dispute has arisen between the fourth and fifth respondents regarding conducting of the first day mondahapady of the petition mentioned temple festival. The Tahsildar, Devakottai rightly organized peace committee meeting to resolve the outstanding dispute. It appears that consensus could not be arrived at. Therefore, the impugned proceeding came to be issued. Challenging the same, the present writ petition has been filed.



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3. Without going into the merits of the matter, the writ petition can be disposed of on a short ground. The Tahsildar lacks the jurisdiction to grant or deny permission for conducting the petition mentioned temple festival. In any event, what was arranged by him was only a peace committee meeting. No formal action under the provisions of Criminal Procedure Code was initiated. Therefore, the impugned proceedings lacks any statutory character or value. On account of want of jurisdiction, the impugned proceeding is quashed and the writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

04.08.2022

Index : Yes / No
Internet : Yes/ No
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To:-

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G.R.SWAMINATHAN, J.

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