

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.09.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

W.P.(MD)No.21384 of 2022

G.Nambirajan

... Petitioner

/vs./

1.The Superintendent of Police,
Office of the Superintendent of Police,
Thoothukudi District.

2.The Inspector of Police,
Maniyachi Police Station,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to provide adequate police protection for conducting Kumbhabhishekam to the Arulmigu Sri Ayyan Sengamala Udaiyar Sastha, Petchiammal, Thalavaisamy Thirukovil, Paaraikuttam, Ottapidaram, Thoothukudi District which scheduled to be held on 08.09.2022 and 09.09.2022 by considering the petitioner's representation dated 02.09.2022.

For Petitioner : Mr.M.P.Senthil
For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

ORDER

The Petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the Respondent/s to provide adequate police protection for conducting Kumbhabhishekam to Arulmigu Sri Ayyan Sengamala Udaiyar Sastha, Petchiammal, Thalavaisamy Thirukovil, Paaraikuttam, Ottapidaram, Thoothukudi District, which is scheduled to be held on 08.09.2022 and 09.09.2022, by considering the petitioner's representation, dated 02.09.2022.

2.The learned Additional Public Prosecutor takes notice for the Respondent/s. By consent, the Writ Petition itself is taken up for final disposal.

3.Heard the learned Counsel for the Petitioner and the learned Additional Public Prosecutor appearing for the Respondent/s.

4.The learned counsel appearing for the petitioner seeks for a mandatory direction against the respondents to permit the petitioner to perform Kumbhabhishekam in his family temple.

5.The learned counsel, who appears for the intervenor, a rival third party, intervenes stating that the petitioner had excommunicated twelve villagers from participating in the temple festival and therefore, there is a breach of peace in the area. The proceedings under Section 145 IPC., had already been initiated and hence he seeks time to file an intervening petition.

6.The learned Additional Public Prosecutor appearing for the Respondent/s, has produced a copy of the written undertaking to the Inspector of Police, Maniyachi Police Station, Thoothukudi District, and submits that the petitioner himself participated in the Peace Committee Meeting and gave a written undertaking that he will not proceed with Kumbabishekham, till the dispute is amicably resolved in the Peace Committee Meeting convened by the Tahsildhar.

7.Considering the submissions made by the learned Additional Public Prosecutor, this Writ Petition is dismissed with a direction to the petitioner to approach the respondents for appropriate relief. No costs.

07.09.2022

Index : Yes / No
Internet : Yes / No
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TO:

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Thoothukudi District.
- 2.The Inspector of Police,
Maniyachi Police Station,
Thoothukudi District.

WP(MD)No21384 of 2022

SATHI KUMAR SUKUMARA KURUP, J.

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Order made in
W.P.(MD)No.21384 of 2022

Dated:
07.09.2022