



WP(MD)No.24567 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.10.2022**

CORAM:

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

W.P.(MD)No.24567 of 2022

S.Kasiviswanathan

... Petitioner

/vs./

1.The District Collector, Pudukkottai District.

2.The Superintendent of Police,
Pudukkottai District.

3.The Tahsildar, Thirumayam,
Pudukkottai District.

4.The Deputy Superintendent of Police,
Pudukkottai District.

5.The Inspector of Police,
Thenipatti - Pudupatti Police Station,
Pudukkottai District.

6.P.R.Muthu @ Muthaiah Pillai

7.C.Veerassamy

8.L.Vellaichamy

9.P.R.Muthusamy

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10.K.P.Kumar

... Respondents

(Respondents 1 to 5 are *suo motu* impleaded by this Court by order, dated 28.10.2022 and the original Respondents are rearranged accordingly.)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondent Police to grant adequate protection for present elected members of board of trustees against the Respondents 3 to 7 and their violent activities in the upcoming event of the Kumbhabishegam festival of Arulmigu Kuttiandavar Temple and Arulmigu Mariyamman Temple situated at Vambarapatti Village, Thirumayam Taluk, Pudukkottai District on 04.11.2022 and 07.11.2022 respectively (Starting on 02.11.2022 to 08.11.2022) on the basis of the proceedings passed by the Commissioner, Hindu Religious and Charitable Endowments Department, Chennai vide Muu.Mu.No.56016/2022/U4 dated 07.10.2022 within the time limit that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.Ramesh Mahadev

For Respondents : Mr.R.Sivakumar
Government Advocate(Crl.Side)

ORDER

The Petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the Respondent Police to grant adequate protection for



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present elected members of board of trustees against the Respondents 3 to 7 and their violent activities in the upcoming event of the Kumbhabishegam festival of Arulmigu Kuttiandavar Temple and Arulmigu Mariyamman Temple situated at Vambarapatti Village, Thirumayam Taluk, Pudukkottai District on 04.11.2022 and 07.11.2022 respectively (Starting on 02.11.2022 to 08.11.2022) on the basis of the proceedings passed by the Commissioner, Hindu Religious and Charitable Endowments Department, Chennai vide Muu.Mu.No.56016/2022/U4 dated 07.10.2022 within the time limit that may be stipulated by this Hon'ble Court.

2.The learned Government Advocate (Crl.Side) takes notice for the Respondents 1 to 5.

3.Heard the learned Counsel for the Petitioner and the learned Government Advocate (Crl.Side) appearing for the Respondents 1 to 5.

4.It is the contention of the learned counsel for the Petitioner that the Petitioner was elected as the Chairman, Board of Trustee. The Respondents 3 to 7 could not succeeded in the election. Therefore, they are creating the problem.



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5.The learned Counsel for the Respondents entered appearance. He would submit that he needs time to file counter and also he submits that the Writ Petition in W.P(MD).No.8194 of 2022, in which this Court had granted the order on 19.10.2022 in favour of the Petitioner as to appoint a fit person.

6.The learned Government Advocate (Crl. Side) submits that as per the order in W.P.(MD)No.8194/2022, one Muthukumar, Executive Officer of Arulmigu Kuttiandavar Temple and Arulmigu Mariyamman Temple, Vambarapatti had been appointed as a fit person.

7.Also, the learned Government Advocate (Crl. Side) would submit that in that village, there are two groups. Therefore, a peace committee was convened under the chairmanship of the Tahsildar, Thirumayam, in which the Petitioner herein had participated and signed the proceedings. The Respondents 3 to 7 also participated but they had not signed the proceedings.



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8. In light of the submission made by the learned Counsel for the Petitioner and the learned Government Advocate (Crl. Side), the District Collector, Pudukkottai, the Tahsildar, Thirumayam, the Superintendent of Police, Pudukkottai and the Deputy Superintendent of Police, Pudukkottai and the Inspector of Police, Thenipatti – Puduppatti Police Station, Thirumayam Taluk are impleaded as *suo-motu* Respondents in the Writ Petition.

8(a). In the Peace Committee Meeting convened by the Tahsildar, the Respondents 6 to 9, had participated, but not signed the Peace Committee Meeting. Therefore, the District Collector/first Respondent and the Tahsildar/third Respondent shall pass appropriate orders prohibiting those parties, who had not cooperate with the Peace Committee Meeting and in the light of the said order, the second Respondent/ Superintendent of Police, Pudukkottai District and the fourth Respondent/Deputy Superintendent of Police, Pudukkottai District, shall pass appropriate orders regarding the representation of the Petitioner herein. Those who had not cooperate with the Peace Committee Meeting shall be prevented by the Respondents 1 to 5 from creating law and order problem with regard to the Kumbhabishegam festival of Arulmigu Kuttiandavar Temple and



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Arulmigu Mariyamman Temple situated at Vambarapatti Village, Thirumayam
Taluk, Pudukkottai District.

9. With the above, the Writ Petition is disposed of. No costs.

28.10.2022

Index : Yes / No
Internet : Yes / No
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Note: Issue Order Copy on 01.11.2022



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