



W.P(MD). No. 16155 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2022

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THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P(MD). No. 16155 of 2017

and

W.M.P(MD). No. 12829 of 2017

R.Chandrasekar

... Petitioner

-VS-

1. The District Collector,
Sivangangai District, Sivagangai.
2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Sivangangai District.
3. The Tahsildar,
Ilayangudi Taluk, Ilyankudi,
Sivangangai District.
4. The Inspector of Police,
Salaigramam Police Station, Salaigramam,
Sivangangai District.

5. Arumugam

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing First to Fourth Respondents in way of permitting the Fifth Respondent to conduct Muthumariamman Temple Thiruvizha at Nanamadai Village, Ilayangudi Taluk, Sivangangai District.



W.P(MD). No. 16155 of 2017

For Petitioner : Mr. S.Mohan Gandhi

For Respondents : Mr. T.Villavankothai

Additional Government Pleader
for R1 to R3

Mr. S.M.Mohan Gandhi for R5

Ms. M.Asha

Government Advocate (Crl.Side) for R4

ORDER

The Writ Petition has been filed for a direction to restrain the First to Fourth Respondents in permitting the Fifth Respondent to conduct Muthumariamman Temple Thiruvizha at Nanamadai Village, Ilayangudi Taluk, Sivagangai District.

2. It has been brought to notice that the representation dated 16.08.2017 has been made in that regard and no action has been taken thereon, the Petitioner has filed this Writ Petition.

Having regard to the fact that the said period had already lapsed, nothing survives for further consideration in this Writ Petition, but it shall not preclude the Petitioner if he has any other grievance to work out his remedies before the proper forum in the manner recognized by law. It is needless to add here that as



W.P(MD). No. 16155 of 2017

observed by the Division Bench of this Court in the decision in *Varadaraj -vs- the District Revenue Officer, Collector Officer, Perambalur District* (Order dated 15.11.2019 in W.A. No. 3813 of 2019), the right to free worship, which is protected under Article 25 of the Constitution, can be regulated and efforts should be made by the concerned authorities to conduct the festivals, particularly where there is no prohibition for the same, with the co-operation of all sections of the people in an amicable manner.

In fine, the Writ Petition is disposed with the aforesaid clarification. Consequently, the connected Miscellaneous Petition is closed. No costs.

15.12.2022

2/2

Index: Yes/No

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Note: Issue order copy by 03.03.2023.

To

1. The District Collector,
Sivagangai, Sivagangai District.
2. The Superintendent of Police,
Sivagangai District.
3. The Tahsildar,
Ilayankudi Taluk, Sivagangai District.



W.P(MD). No. 16155 of 2017

4. The President,
Aakkavayal Village Panchayat,
Ilayankudi Taluk, Sivagangai District.



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W.P(MD). No. 16155 of 2017

P.D. AUDIKESAVALU, J.

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W.P(MD). No. 16155 of 2017

**15.12.2022
2/2**