



W.P.Nos.3238 & 12139 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.Nos.3238 & 12139 of 2023

and

W.M.P.Nos.3285 & 11976 of 2023

W.P.No.3238 of 2023 :

N.Velayutham

... Petitioner

Vs.

- 1.State of Tamil Nadu,
Rep. by its Secretary to Government,
Home Department,
Fort St.George,
Chennai – 600 009.
- 2.The District Collector,
Thiruvarur District,
Thiruvarur.
- 3.Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Mannargudi,
Thiruvarur District.
- 4.The Revenue Divisional Officer,
Mannargudi,
Thiruvarur District.
- 5.The Tahsildar,



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Mannargudi Taluk,
Thiruvarur District.

... Respondents

W.P.No.12139 of 2023

- 1.V.Uthirapathy
- 2.K.Balasubramanian
- 3.L.Saravanan
- 4.P.Kumar
- 5.N.Kannan @ Govindaraj
- 6.U.Gunasekaran
- 7.S.Subbdu @ Balakrishnan
- 8.K.Sivaji

Vs.

- 1.The Sub-Divisional Magistrate and
Revenue Divisional Officer, Pakkuppettai Street,
Mannargudi – 614 001.
- 2.The Tahsildar,
Taluk Office Road,
Mannargudi – 614 001.
- 3.The Inspector of Police,
Thalayamangalam Police Station,
Thiruvarur District.
- 4.N.Velayutham
- 5.R.Sasikum
- 6.N.Manikandan
- 7.S.Dharmalingam
- 8.S.Mahendran
- 9.N.Kalaiselvam
- 10.V.Jayabal
- 11.N.Ayyappan
- 12.V.Kaviyarasan

... Respondents



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Prayer in W.P.No.3238 of 2023: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to implement the order passed by the 4th respondent in his proceedings in Pa.Ve.No.154/2019 A3 dated 07.02.2020.

Prayer in W.P.No.12139 of 2023: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records on the file of the 1st respondent in order in R.C.No.1710/2019/A3 dated 17.02.2023 and quash the same as arbitrary, illegal, unconstitutional and untenable and further direct the 3rd respondent to offer police protection to conduct the festival is due to commence on 17.04.2023.

W.P.No.3238 of 2023 :

For Petitioner : Mr.K.Thilageswaran
For Respondents : Mr.M.Alagu Gowtham
Government Advocate

W.P.No.12139 of 2023 :

For Petitioner : Mr.V.Raghavachari
Senior Counsel
for M/s.V.Srimathi
For Respondents : Mr.M.Alagu Gowtham
Government Advocate [R1 to R3]
Mr.K.Thilageswaran [R4]



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COMMON ORDER

W.M.P.No.11975 of 2023 in W.P.No.12139 of 2023 is filed to permit the petitioners to file the writ petition jointly is allowed, subject to payment of separate sets of court-fee by the petitioners within a period of two weeks from the date of receipt of a copy of this order. In default of compliance, the order passed in the writ petition shall be applicable only to the first petitioner.

2. Since the issue raised in both the writ petitions is one and the same, these Writ Petitions were heard together and are disposed of by this common order.

3. The case of the petitioners in both the writ petitions is that, there was a dispute with regard to Diety procession of Kaliyamman Temple in between two groups of Renganathapuram Village. In order to resolve the issue, a peace committee meeting was convened on 07.02.2020, during which, it has been decided by the Revenue Divisional Officer that the procession should go to all the streets of the village. To implement the same, one of the writ petitions in W.P.No.3238 of 2023



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has been filed before this Court. In the meanwhile, the Revenue Divisional Officer/1st respondent in W.P.No.12139 of 2023, has passed the impugned order in R.C.No.1710/2019/A3 dated 17.02.2023 directing the parties to approach the Civil Court for the said Kalamman Vethiula (procession) in the said village and prohibited the said festival until further orders. Challenging the same, the writ petition in W.P.No.12139 of 2023 has been filed before this Court.

4. The learned Senior Counsel and counsel appearing for the petitioners in both the writ petitions, submit that, until the dispute is resolved between the two groups, this Court may direct the Tahsildar to conduct the festival and conduct the procession within the temple and not to conduct the deity procession in the usual customary path.

5. The learned Government Advocate appearing for the official respondents submits that he has no objection for the said order being passed.

6. Considering the facts and circumstances of the case, this Court,



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without going into the merits of the case, directs the jurisdictional Tahsildar to conduct the Chitirai festival for the current year, by conducting the procession of all the deities within the temple itself and contributions for conducting the Chitirai festival may be collected by the jurisdictional Tahsildar from the petitioners and other donars under necessary acknowledgment/receipt. The concerned Tahsildar is directed to ensure that the Chitirai festival is conducted in a peaceful manner and the petitioners are directed to co-operate with the Tahsildar for the peaceful conduct of the temple festival.

7. In the above terms, these writ petitions are disposed of. No Costs. Consequently, the connected miscellaneous petitions are closed.

25.04.2023

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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Note: Issue order copy on **27.04.2023**.



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- To
- 1.The Secretary to Government,
Home Department,
Fort St.George,
Chennai – 600 009.
 - 2.The District Collector,
Thiruvarur District,
Thiruvarur.
 - 3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Mannargudi,
Thiruvarur District.
 - 4.The Revenue Divisional Officer,
Mannargudi,
Thiruvarur District.
 - 5.The Tahsildar,
Mannargudi Taluk,
Thiruvarur District.
 - 6.The Sub-Divisional Magistrate and
Revenue Divisional Officer, Pakkuppettai Street,
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M.DHANDAPANI, J.

sp

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