



Writ Petition No.23091 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 04.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.23091 of 2023
and
W.M.P.Nos.22632 & 22633 of 2023

A.Kaliyan
S/o.Ayyiankutty

...Petitioner

Vs

1.The District Collector,
Kallakurichi District,
Kallakurichi,
Tamil Nadu - 606 202.

2.The Tahsildar,
Kallakurichi Taluk,
Kallakurichi - 606 202.

3.The Sub-Inspector of Police,
Keezhkuppam,
Chinnasalem Taluk,
Kallakurichi - 606 202.

4.Thadikaran @ Arjunan
S/o.Periyasamy

5.P.Ramakrishnan
S/o.Periyasamy

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus seeking to call for the records of the second respondent's resolution dated 28.07.2023 and quash the same and consequentially direct the respondents 1 to 3 to provide adequate police protection to the petitioner's descendant group to offer Amman Seervarisai, Sandhanam, Malai and Pottukattudhai on the date of Thiruther Thiruvizha for the Muthumari Amman Kovil at Pukkiravari and also to permit them to peacefully worship the deity by participating in the car procession proposed to be conducted on Aadi 26 to Aadi 27 which falls from 11.08.2023 and ends by 12.08.2023 as per the Gregorian calendar month.

For Petitioner : Mr.P.Paramasivados

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1 to R3]

ORDER

This Writ Petition has been filed challenging the proceedings of the second respondent dated 28.07.2023 and for a further direction to the respondent police to grant police protection in order to peacefully conduct the festival at Sri Arulmighu Muthu Mariamman Kovil, Pukkiravari from 11.08.2023.



2. Heard Mr.P.Paramasivadosh, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondents 1 to 3.

3. It is seen from records that the dispute between both the parties already became a subject matter before this Court in W.P.No.25595 of 2019. This Court made it clear that no one will seek for first honours and that everyone will be permitted to participate in the festival in a peaceful manner. Pursuant to this order passed on 28.08.2019, the same was followed and the festival was conducted.

4. It seems that once again there is a clash between the parties which resulted in convening a peace committee meeting by the second respondent and passing of resolution dated 28.07.2023. The grievance of the petitioner is that the second respondent ought to have convened the proceedings in line with the earlier order passed by this Court in W.P.No.25595 of 2019. However, the second respondent has added one more resolution to the effect that if there is any dispute, the parties will have to resolve the same before the concerned Court.



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5. The festival is going to be conducted only for two days on 11.08.2023 and 12.08.2023. In view of the same, the very same understanding that was arrived at on the earlier occasion and which was recorded by this Court while disposing of the earlier writ petition in W.P.No.25595 of 2019 will hold good. None of the parties will claim for any first honours and everyone will be allowed to participate in the festival and worship God. It is also made clear that no one will create a law and order problem and if any such law and order problem is created, the respondent police will take immediate steps and if required, the festival itself can be stopped.

This Writ Petition is disposed of in the above terms. No costs. Consequently, connected miscellaneous petitions are closed.

04.08.2023

Issue order on 08.08.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
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N.ANAND VENKATESH, J

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