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W.P.(MD)NO.1475 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.1475 of 2023 and
W.M.P.(MD)No.1350 of 2023

M.Paramasivam

... Petitioner

Vs.

1. The District Collector,
Thoothukudi District,
Thoothukudi.
2. The Tahsildar,
Ottapidaram Taluk,
Thoothukudi District.
3. The Inspector of Police,
Maniyachi police station,
Thoothukudi District.
4. G.Nambirajan

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to take action against the 4th respondent by preventing him to conduct consecration ceremony without their participation in Arulmighu Shri Ayyan Sengamala Udaiyar Dharma Sastha, Petchiammal, Thalavaisamy Thirukovil at Paraikuttam Village, Ottapidaram Taluk, Thoothukudi District on 27.01.2023 based on peace committee meeting held on 09.09.2022.



For Petitioner : Mr.V.M.Jegadeeshapandian

For R-1 & R-2 : Mr.M.Lingadurai,
Special Government Pleader.

For R-3 : Mr.B.Thanga Aravindh,
Government Advocate (Crl. Side).

For R-4 : Mr.R.Maheswaran

* * *

ORDER

Heard, Mr.V.M.Jegadeeshapandian, learned counsel appearing for the writ petitioner and Mr.M.Lingadurai, learned Special Government Pleader appearing for respondents 1 and 2 and Mr.B.Thanga Aravindh, learned Government Advocate (Crl. Side) appearing for the third respondent and Mr.R.Maheswaran, learned counsel appearing for the fourth respondent.

2. The subject matter pertains to conducting of Kumbabishekam for the petition mentioned temple. The learned counsel appearing for the fourth respondent informs this Court that the process has already started and that Kumbabishekam is proposed to be held on 27.01.2023.



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3. It may not be proper for this Court to intervene at this point of time. However, the petitioner is very much entitled to take part in the function along with other worshippers and devotees. The presence of the petitioner in the event shall not be prevented. The petitioner has some grievance regarding the employment of certain phrases in the invitation card. He points out that the temple is located in Paraikuttam Village. But the invitation card reads that the temple belongs to Marukalkuruchi village.

4. These aspects can be independently agitated by the petitioner later in appropriate proceedings before the appropriate forum. I make it clear that this order shall not be understood to mean that it endorses to the claims of the fourth respondent. The only direction that has now been given is that Kumbabishekam process that has already started shall be allowed to conclude peacefully. The third respondent is directed to ensure that law and order is maintained.



5. Leaving open all the other contentions of the writ petitioner, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

25.01.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

Note : Issue order copy on 25.01.2023.

To:

1. The District Collector,
Thoothukudi District,
Thoothukudi.
2. The Tahsildar,
Ottapidaram Taluk,
Thoothukudi District.
3. The Inspector of Police,
Maniyachi police station,
Thoothukudi District.



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G.R.SWAMINATHAN,J.

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