



W.P(MD)No.3068 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.3068 of 2023

and

W.M.P(MD)No.11513 of 2023

1.V.Muthukumar

2.S.Vishwanathan

... Petitioners

Vs.

1.The District Collector

Collectorate,

Korampalam,

Thoothukudi,

Thoothukudi District.

2.The Revenue Divisional Officer,

O/o. Revenue Divisional Officer,

Tiruchendur,

Thoothukudi District.



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3.The Tahsildar
Taluk Office,
Tiruchendur,
Thoothukudi District.

4 Manthiram .. Respondents

(R4 is impleaded vide Court order dated 06.06.2023
in WMP(MD)No.6833 of 2023)

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 2nd respondent to conduct a peace Committee Meeting among all the members of Temple and further Constitute an Executive Committee of Arulmigu Sri Uchinimahali Ammbal Sri Pattarai Ammabal Temple, Vaithilingapuram Udangudi, for its function.

For Petitioners : Mr.V.Rajiv Rufus

For Respondents : Mr.N.Muthu Vijayan - for R1 to R3
Special Government Pleader
Mr.M.Maran - for R4



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ORDER

The Writ Petition has been filed in the nature of a Mandamus seeking a direction to the second respondent to conduct a Peace Committee Meeting relating to the temple, namely, Arulmigu Sri Uchinimahali Ammbal Sri Pattarai Ammabal Temple, Vaithilingapuram Udangudi, Thoothukudi District.

2. The Peace Committee Meetings were conducted but finally since the Kumbabisegam was to be conducted on 13.06.2023, the following order was passed on 09.06.2023 :-

"The tax which is to be paid by the petitioner may be accepted by the fourth respondent, who has been impleaded. If anybody else comes forward to pay taxes, that may also be received by the fourth respondent and by other committee members. This amount, which is received, may be entered in a register and separately maintained.

2.During the Kumbabishekam festival, that is on the main festival date on 13.06.2023, the fourth respondent and other committee members may also give some responsibilities to the petitioner and other



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families also to effectively participate during the Kumbabishekam festival.

3.I would trust maturity of all the village members to have some give and take during the Kumbabishekam and keep in mind that it is the Deity, which is important and that Kumbabishekm is performed for the deity and that if it is done with peace and harmony, then, there will be peace and harmony in the entire village for the next 14 years atleast.

4.List the matter once again on 16.06.2023. Both the petitioner and the fourth respondent to file necessary affidavit about how the Kumbabishekan proceeded. The Tahsildar, Tiruchendur, Tuticorin District may be physically present during the Kumbabishekam festival on 13.06.2023."

3. An affidavit has been filed by the fourth respondent herein that the Kumbabisegam was conducted and photographs were also presented about participation of the members of the petitioner's family in the said function.



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4. The learned counsel for the writ petitioner however, still has grievances. The relief sought in the Writ Petition, no longer survives, the Writ Petition therefore, stands dismissed. But however, the right to give representation to any authority including the HR&CE Official is always vested with every individual with respect to any temple, provided the grievances raised are genuine and if raised, an opportunity is granted to everybody else, to answer the same.

5. The Writ Petition stands dismissed, since it is infructuous.
No costs. Consequently, connected miscellaneous petition is closed.

16.06.2023

Index : Yes/No
Internet : Yes/No
NCC : Yes / No
RM



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C.V.KARTHIKEYAN, J.

RM

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