



W.P(MD)No.8198 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.04.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.8198 of 2023

Ramaraj

... Petitioner

Vs.

1.The District Collector,
Trichy District,
Trichy.

2.The Tahsildar,
Musiri Taluk,
Mursiri,
Trichy District.

3.The Village Administrative Officer,
T.Pudhupatti Village,
Musiri Taluk,
Trichy District.

4.The Inspector of Police,
Jambunathapuram Police Station,
Trichy District.

5.C.Rajagopal.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 1 to 3 to grant permission and protection to celebrate the festival of A/m. Mariamman



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and Vinayagar Temple situated at Vadakku Nalliyampatti Village, Musiri Taluk, Trichy District from 7th of Chithirai Tamil month to 22nd of Chithirai Tamil Month ie., 20.04.2023 to 05.05.2023 by following this Court order in W.P(MD)No.6724/2019 dated 03.04.2019 based on the petitioner's representation dated 01.04.2023.

For Petitioner : Mr.C.Susi Kumar
For R1 to R4 : Mr.J.Ashok
Additional Government Pleader
For R5 : Mr.S.Devasena

ORDER

Heard the learned counsel for the petitioner, the learned Additional Government Pleader for respondents 1 to 4 and the learned counsel appearing for the fifth respondent.

2. The entire issue relates to conducting the festival of Arulmigu Mariamman and Vinayagar Temple situated at Vadakku Nalliyampatti Village, Musiri Taluk, Trichy District. The present writ petition relates to the conduct of festival from the 7th day of Chithirai Tamil month to the 22nd day of Chithirai Tamil month which is equivalent to 20.04.2023 to 05.05.2023. There appears to be earlier orders passed and one such order is in W.P.(MD)No.6724 of 2019 dated 03.04.2019 on a writ petition filed by the fifth respondent. Even on that occasion, the learned Single Judge had stated that any direction given is only a



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temporary solution and that the dispute can be settled only before a competent civil Court.

3. I am informed that civil suit is pending in O.S.No.120 of 2019 which is now pending before the Musnif Court, Thuraiyur. The petitioner can seek further orders from that particular court and coming to the writ Court for every festival cannot be encouraged. It is no doubt true that orders relating to the temple festival had been passed but, if any clarifications are required then in the earlier writ petition, a miscellaneous petition can be filed. The habit of filing a writ petition for every function cannot be encouraged and must actually be deprecated. The petitioner can take either one of two options namely, either to file a miscellaneous petition or to file necessary application in the suit to get necessary directions. No orders can be passed in this writ petition.

4. This Writ petition is disposed of. No costs.

12.04.2023

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

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To

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T.Pudhupatti Village,
Musiri Taluk,
Trichy District.
- 4.The Inspector of Police,
Jambunathapuram Police Station,
Trichy District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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C.V.KARTHIKEYAN, J.

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