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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 19/04/2023

CORAM:

THE HON'BLE MR JUSTICE G.ILANGOVAN

WP(MD)No.8365 of 2023

B.Veeramani : Petitioner

Vs.

1.The Superintendent of Police,
O/o.Superintendent of Police,
Trichy District, Trichy.

2.State rep. by
The Inspector of Police,
Thottiyam Police Station,
Thottiyam, Trichy District.

3.The Sub Inspector of Police,
Kattuputhur Police Station,
Kattuputhur, Thottiyam Taluk,
Trichy District.

4.N.Selvaraj
(R4 impleaded as per the order
made in WMP(MD)No.8063 of 2023,
dated 19/04/2023) : Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents police to grant permission and protection to perform the Arulmigu Mariamman Thirukovil Festival, from 28/04/2023 to 02/05/2023 in every day Pooja and other functions situated at Arulmigu Mariamman Temple, Unniyur, Thottiyam Taluk, Trichy District, pursuant to the representation, dated 06/04/2023 and pass such further or other orders.



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For Petitioner : Mr.S.K.S.Prabhahar
For R1 to R3 : Mr.B.Nambiselvan
Additional Public Prosecutor
For 4th Respondent : Mr.S.Ramsundarvijayaraj

O R D E R

This writ petition has been filed seeking direction to the respondents police to grant permission and protection to perform the Arulmigu Mariamman Thirukovil Festival, from 28/04/2023 to 02/05/2023 in every day Pooja and other functions situated at Arulmigu Mariamman Temple, Unniyur, Thottiyam Taluk, Trichy District, pursuant to the representation, dated 06/04/2023.

2.Heard both sides.

3.Now the grievance of the newly impleaded party namely the 4th respondent herein is that the writ petitioner by making himself as Managing Trustee of the above said temple wants to run the administration itself by filing this writ petition.



4.The learned Additional Public Prosecutor appearing for the respondents 1 to 3 would submit that absolutely, no objection for the participation of the above said newly impleaded party and in 2012, there was a Peace Committee meeting, by which, both parties agreed to perform the above said events without any difference of opinion between them. It is further submitted that the above said Peace Committee meeting was with reference to the some other temple.

5.But reading of the above said resolution does not indicate that it relates to some other temple and there is only one temple in the village. Now whatever, it may be, Sri Mariamman Temple and Arilmighu Mariamman Temple, both relates to a single temple. There is no difference of opinion and issue between the parties.

6.Now the learned counsel appearing for the newly impleaded party namely the 4th respondent would submit that in 2014, he filed a writ petition seeking permission to celebrate the above said festival, that was also granted by this court. Now after that, till 2022, festival was conducted by the newly impleaded party.



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7. Now this petition has been filed by the petitioner making himself as a competent person to celebrate the temple festival. The right is not going to be decided by this court. Now both sides agreed on that point and there is no difference of opinion on that. With regard to the management of the temple, the right can be decided by some other way before the competent authority.

8. Now for celebration of the above said temple festival, let both the parties be given proper undertaking before the 2nd respondent, the Inspector of Police herein undertaking that they will not make any trouble to each other and joint celebration will be conducted in the above said temple in a peaceful manner. Based upon the above said undertaking, the second respondent police may consider the same. Let the parties follow the usual procedure in collection of taxes, etc. things.

9. With the above said direction, this writ petition stands **disposed of**. No costs.

Index: Yes/No
Internet: Yes/No
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19/04/2023



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To,

- 1.The Superintendent of Police,
O/o.Superintendent of Police,
Trichy District,
Trichy.
- 2.The Inspector of Police,
Thottiyam Police Station,
Thottiyam,
Trichy District.
- 3.The Sub Inspector of Police,
Kattuputhur Police Station,
Kattuputhur,
Thottiyam Taluk,
Trichy District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G. ILANGO VAN, J

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WP (MD) No. 8063 of 2023

19.04.2023



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