



W.P(MD)No.11279 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.05.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.11279 of 2023

and

W.M.P(MD) Nos.9845 and 9846 of 2023

- 1.Natarajan
- 2.Rajangam
- 3.Veluthurai
- 4.Govindan
- 5.Mahendran

... Petitioners

Vs.

1. The Revenue Divisional Officer,
Sivagangai, Sivagangai District.
2. The Thasildar,
Manamadurai Taluk, Sivagangai District.
3. The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department, Sivagangai,
Sivagangai District.
4. The Assistant Commissioner,
Hindu Religious and Charitable
Endowment Department, Sivagangai,
Sivagangai District.
5. The Manager,
O/o. the Sivagangai Devasthanam,
Sivagangai, Sivagangai District.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 5th respondent to allow the petitioners to conduct 5th day Mandagapadi as celebrated as per the tradition for the Chithirai Festival of Arulmigu Sri Veera Alagar for the year 2023 as per the Judgement passed by the District Munisif cum Judicial Magistrate, Manamadurai in O.S.no. 114/2004 dated 20.04.2005.

For Petitioners : Mr.K.C.Ramalingam

For Respondents : Mr.D.Gandhiraj
Special Government Pleader for R1 - R4
Mr.S.Madhavan for R5

ORDER

This writ petition has been filed, seeking a mandamus to the fifth respondent to allow the petitioners to conduct the fifth day Mandagapadi celebration as per the tradition for the Chithirai Festival of Arulmigu Sri Veera Alagar for the year 2023, based on the Judgment dated 20.04.2005 in O.S.No. 114/2004, passed by the learned District Munsif cum Judicial Magistrate, Manamadurai.

2. Learned counsel appearing for the petitioners would submit that the petitioners are the residents of Seikalathur Village, Manamadurai. The petitioners want to conduct the fifth day Mandagapadi celebration as per the



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tradition and customs for the Chithirai Festival of Arulmigu Sri Veera Alagar for the year 2023, as per the Judgment and decree passed by the lower Court in O.S.No.114/2004, dated 20.04.2005, by considering the representation of the petitioners dated 26.04.2023.

3. Per contra, learned Special Government Pleader appearing for the respondents 1 to 4 would submit that there was a dispute between the two villagers for mentioning their names in the festival invitation, for which the respondents have conducted a peace committee meeting and arrived at a conclusion that the fifth respondent undertakes to conduct the said festival in a peaceful manner and without challenging the decision of the peace committee meeting dated 23.04.2023, the petitioners have filed the present writ petition, which is not maintainable.

4. Learned counsel appearing for the fifth respondent would submit that a peace committee meeting was held and in the said meeting, the Revenue Tahsildar has already taken a decision that the fifth respondent will be conducting the festival in order to resolve the dispute between the parties. Accordingly, he prayed for dismissal of the writ petition.



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5. Heard the learned counsel for the petitioners, the learned Special Government Pleader appearing for the respondents 1 to 4 and the learned counsel for the fifth respondent.

6. The petitioners claim that as per the tradition and customs, the petitioners' villagers are conducting the Fifth day Mandagapadi of Arulmigu Sri Veera Alagar, however, there was a dispute with regard to mentioning the names in the pamphlets. Thereby, the second respondent conducted the peace committee meeting in which they arrived at a conclusion to hand over the right to the fifth respondent Devasthanam. Since the temple belong to the fifth respondent Devasthanam and a decision of the peace committee meeting was taken on 23.04.2023, unless the petitioners challenge the said decision, the present writ petition is not maintainable. Furthermore, the said festival is scheduled to be conducted tomorrow and the petitioner chosen to file the present writ petition today, which is not sustainable.

7. Accordingly, this writ petition is dismissed. However, the fifth respondent is directed to conduct the Fifth day Mandagapadi Festival of Arulmigu Sri Veera Alagar by allowing the petitioners' villagers and other village persons. It is needless to say that the law enforcing agency shall take



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appropriate action against the persons who create law and order problem during the festival. No costs. Consequently, connected miscellaneous petitions are closed.

04.05.2023

Index :Yes/No
Internet :Yes/No
pkn/lm

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M.DHANDAPANI, J.

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