



W.P.(MD)No.11562 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 11.05.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.11562 of 2023

and

W.M.P.(MD)No.10052 of 2023

Sri Arulmigu Angalaeswari, Valagurunathasamy,
Karuppanasamy, Vadakkuvatchi Selvi Amman,
Ayyanar Anjineyar, Muthalamman Temple and
Sri.Parasakthi Mariamman Manthoppu Village,
Managing Committee,
Rep. by its Trustee M.Palani

... Petitioner

-Vs-

1.The District Collector,
Virudhunagar, Virudhunagar District.

2.The Tahsildar,
Kariyapatti Taluk,
Virudhunagar District.

3.V.Eswaran

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records pertaining to the impugned order passed by the 2nd respondent vide Na.Ka.A. 1/1527/2022, dated 24.04.2023 and quash the same as illegal.



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For Petitioner : Mr.G.Mariappan
For R1 & R2 : Mr.M.Senthil Ayyanar,
Government Advocate
For R3 : Mr.R.Pon Karthikeyan

ORDER

Heard the learned counsel appearing for the writ petitioner, the learned Government Advocate appearing for the respondents 1 and 2, the learned counsel appearing for the 3rd respondent and the learned counsel appearing for Jeyakannan / intervenor.

2.The petitioner questions the impugned communication issued by the Tahsildar, Kariyapatti. There is a dispute between the villagers of Manthoppu and Achankulam regarding the conduct of the temple festival. The Tahsildar by the impugned communication called upon the petitioner to make arrangements for the festival only after getting clearance from the jurisdictional Civil Court, which is seized of the issue.

3.The learned counsel for the petitioner pointed out that the 3rd respondent herein, namely, Eswaran filed O.S.No.87 of 2022 on the file of the Principal District Munsif Court, Aruppukottai and he also sought interim



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reliefs. Interlocutory Applications filed by the 3rd respondent had been dismissed on 28.04.2023. Therefore, the stand of the learned counsel for the petitioner is that the Tahsildar has no jurisdiction to issue the impugned communication.

4.I went through the contents of the impugned communication. The Tahsildar has only called upon the organizers of the Festival Committee not to take any steps without getting clearance from the jurisdictional Civil Court. She had only cautioned the petitioner that in the event of there arising any law and order issue between the two villages, they may have to assume the responsibility. The revenue authorities have the duty to maintain law and order and since the issue had already been given rise to considerable tension between two villages, the impugned Advisory has been issued. Since it has no legal consequence, it does not call for any interference. With this clarification, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

11.05.2023

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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G.R.SWAMINATHAN, J

MYR

To:

- 1.The District Collector,
Virudhunagar, Virudhunagar District.

- 2.The Tahsildar,
Kariyapatti Taluk,
Virudhunagar District.

Order made in
W.P.(MD)No.11562 of 2023

Dated:

11.05.2023