



W.P.(MD) No.11932 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.05.2023

CORAM:

**THE HON'BLE MR.T.RAJA, THE ACTING CHIEF JUSTICE
and
THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD) No.11932 of 2023
and
W.M.P(MD)No.10332 of 2023**

Sivakumar

... Petitioner

Vs.

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 3.The Tahsildar,
Kalayarkoil Taluk,
Sivagangai District.
- 4.The Inspector of Police,
Kalayarkoil Police Station,
Sivagangai District.

... Respondents

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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records relating to the proceedings in Na.Ka.T1/ 38142/2022 dated 10.05.2023 on the file of the first Respondent and direct the respondents herein to grant permission to the petitioner for conducting the Vadamadu Manjuvirattu event on 22.05.2023 as part of the festival in Sri Adaikalamkatha Amman Temple at M.Vaniyangudi Village, Kalayarkovil Taluk, Sivagangai District, based on the petitioner's representation dated 09.05.2023.

For Petitioner : Mr.V.Kannan

For Respondents : Mr.S.P.Maharajan,
Special Government Pleader

ORDER

**[Order of the Court was made by
The Hon'ble The ACTING CHIEF JUSTICE]**

Mr.Sivakumar, S/o.Muthaiah, a resident of M.Vaniyangudi Village, Sivagangai District, has filed the present Writ Petition challenging the impugned order, dated 10.05.2023 passed by the District Collector, Sivagangai, refusing the request of the petitioner to grant permission for conducting 'Vadamadu Manjuvirattu' on 22.05.2023 in M.Vaniyangudi Village, Kalayarkovil Taluk, Sivagangai District.

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2.Learned counsel appearing for the petitioner submitted that the Villagers of M.Vaniyangudi Village have unanimously decided to conduct 'Vadamadu Manjuvirattu' on 22.05.2023 in connection with the temple festival of Sri Adaikalamkatha Amman Temple. Hence, on behalf of the Villagers, the petitioner submitted representations to the respondents, dated 03.05.2023 and 09.05.2023 seeking permission to conduct 'Vadamadu Manjuvirattu' on 22.05.2023.

3.Learned counsel also undertakes that the petitioner will follow the terms and conditions that will be imposed by the respondents for peaceful conduct of the said event and this apart, the petitioner has also taken a life insurance policy for the said event.

4.Learned counsel appearing for the petitioner further contended that the first respondent cannot discriminate the petitioner on the one hand by not allowing to conduct 'Vadamadu Manjuvirattu' and on the other hand include other villages in the Gazette Notification enabling



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them to hold 'Vadamadu Manjuvirattu' excluding the petitioner's Village.

Hence, the impugned order is liable to be set aside.

5.Learned Additional Government Pleader appearing for the respondents has fairly submitted that the ground on which the impugned order has been passed by the first respondent itself is untenable, because the District Collector/the first respondent himself has recommended the name of the petitioner's Village to be included in the G.O. Therefore, now he cannot take a stand in the impugned order that the petitioner's Village is not included in the Government Order. However, only after issuance of the G.O., including the name of the petitioner's Village, the petitioner can hold 'Vadamadu Manjuvirattu', as a part of the Village festival.

6.We do not agree with the said submission. A mere recommendation made by the District Collector for including the name of the Village in the G.O, would take a long time. Because of the undue delay in issuing G.O., the poor Villagers may not be able to conduct the said event.

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7.For the reasons stated above, we are of the view that the impugned order, dated 10.05.2023, passed by the first respondent is liable to be set aside and the same is set aside. We direct the District Collector, Sivagangai to pass appropriate orders granting permission to the petitioner to hold 'Vadamadu Manjuvirattu' on 22.05.2023 subject to the other conditions till the issuance of G.O by the Government. Such an exercise shall be completed within a period of three days from the date of receipt of a copy of this order.

8.Accordingly, the Writ Petition stands allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

[T.R., A.C.J.] [L.V.G.,J.]
17.05.2023

NCC : Yes / No
Index : Yes / No
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T.RAJA, A.C.J.
and
L.VICTORIA GOWRI, J.

ps

ORDER MADE IN
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DATED : 17.05.2023