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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 21/06/2023

CORAM:

THE HON'BLE MR JUSTICE G.ILANGOVAN

WP (MD) Nos.12133 and 13404 of 2023

and

WMP (MD) No.11313 of 2023

(1) WP (MD) No.12133 of 2023:-

Bharathan : Petitioner

Vs.

1.The Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.

2.The Inspector of Police,
Palaiyanur Police station,
Sivagangai District.

: Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant permission and protection for cultural event namely Adalpadal scheduled to be held, on 10/06/2023 at night in connection with "Vaikasi Pongal Urchava Vizha" in Arulmigu Sri Sangaiah @ Sangili Karuppanna Swamy and Sri Nagammal Temple at Muthuvanthidal Village, Thirupuvanam Taluk, Sivagangai District, by considering the petitioner's representation, dated 10/03/2023 and pass such further or other orders.



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For Petitioner

: Mr.R.Anand
for Mr.K.Muthuvai Ilayaraja

For Respondents

: Mr.B.Nambiselvan
Additional Public Prosecutor

(2)WP(MD)No.13404 of 2023:-

Maheswaran

: Petitioner

Vs.

1.The Superintendent of Police,
Sivagangai District,
Sivagangai.

2.The Sub-Inspector of Police,
Palaiyanoor Police Station,
Sivagangai District.

3.Singaravelan
(R3 is given up vide, Court
order, dated 13/06/2023)

4.Sengaimani
5.Ramalingam

6.The Revenue Divisional Officer,
Sivagangai District,
Sivagangai.
(R6 is impleaded, vide court order,
dated 13/06/2023 made in
WMP(MD)No.11726 of 2023 in
WP(MD)No.13404 of 2023) : Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India, to issue a writ of Mandamus or any order or direction in the nature of writ, directing the respondents 1 and 2 to provide adequate protection to the life and limb of the petitioner and his family members for offering prayers in the Arulmigu



Sangaya Swamy and Nagammal Samy Temple at MUthuvan Thidal, Piramanur Post, Thirupuvanam Taluk, Sivagangai District, based on the petitioner's representation, dated 06/06/2023 and pass any order or orders.

For Petitioner : Mr.T.Lajapathi Roy
for Mr.N.Jeyaram Sidharthan

For R1, R2 and R6 : Mr.B.Nambiselvan
Additional Public Prosecutor

For 5th Respondent : Mr.S.Poornachandran

COMMON ORDER

WP(MD)No.12133 of 2023 has been filed seeking direction to the respondents to grant permission and protection for cultural event namely Adalpadal, whereas WP(MD)No.13404 of 2023 has been filed seeking police protection provide adequate protection to the life and limb of the petitioner and his family members for offering prayers in the Arulmigu Sangaya Swamy and Nagammal Samy Temple at MUthuvan Thidal, Piramanur Post, Thirupuvanam Taluk, Sivagangai District, based on his representation, dated 06/06/2023.



2. On the earlier occasion i.e., on 15/06/2023, this court passed the following order:-

"2. When both the matters were taken up for hearing day-before-yesterday i.e. 13.06.2023, it was brought to the notice of this Court not only with regard to this temple, but, with regard to the other temple, viz., Karpagavinayagar and Shenbaga Lingeswarar, there is a trouble. At that time, it was also brought to the notice of this Court that Karpagavinayagar is also situated and despite the Peace Committee Meeting, which was conducted by the Tahsildar, there is no agreement between the parties.

3. The learned counsel for the petitioner at that time has stated that because of the above said stoppage of the above said temple, the private respondents in the subject matter created trouble and prevented others. So, it is suggested by the Court to the parties to come to an understanding to offer the worship in both the temple. So that the matter could be resolved. So, at that time, they were directed to



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file undertaking affidavit and today, both the parties have filed an undertaking affidavit. Another fact that has been brought to the notice of this Court, yesterday, ie. 14.06.2023, that some sort of trouble was created by the parties belonging to the writ petitioner, viz., Maheswaran over which C.S.R.No.179 of 2023 is also registered.

4.The respondent police also appeared before this Court. They also brought another fact that third temple is also situated in the very same village, over which, there is trouble between the parties. All the parties belonged to very same communities, but, they are grouping and making trouble with each other. So, because of the continuous trouble, law and order problem is being created, police people are also facing trouble and police bandobust has also been arranged.

5.There are two groups of temple, one group consisting of Sangaiya, Nagammal, Ayyanar and another group is consisting Shenbapagavinayagar and Shenbapaga Lingeswaran. The police has



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suggested since in respect of the three temple also, trouble exists between the parties, so, peace committee meeting can be conducted by the higher official to arrive at a settlement, otherwise, trouble will continue. The suggestion made by the police is accepted by the parties. Let the Revenue Divisional Officer, Sivagangai, conduct Peace Committee Meeting on 17.06.2023. All the parties shall appear and attend the above said Peace Committee Meeting and resolve the issue. Non-appearance of any one of the parties should not be done and it would be taken into account.

6.Let the development be informed to the Court on 20.06.2023."

3.Heard the parties appearing on either side.

4.The matter was referred to RDO to conduct a peace committee meeting to resolve the issue with regard to festival of three temples. The resolution was adopted in the above said peace committee meeting conducted, on 17/06/2023 in the presence of RDO, Sivagangai. In the above said peace committee meeting, both parties have



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agreed to celebrate the above said festival in a peaceful manner without making any trouble to each other and they will not make any trouble and create law and order problem.

5.Let the parties abide by the resolution and celebrate the festival in a peaceful manner.

6.In view of the above said resolution, that has been adopted in the above said meeting held on 17/06/2023, nothing survives in both the matter. Accordingly, both writ petitions are **disposed of**. Consequently, connected Miscellaneous Petition is closed. No costs.

21/06/2023

Index:Yes/No
Internet:Yes/No
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Note:Issue order copy on 22/06/2023



To,
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- 1.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 2.The Sub-Inspector of Police,
Palaiyanoor Police Station,
Sivagangai District.
- 3.The Revenue Divisional Officer,
Sivagangai District,
Sivagangai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN, J

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WP (MD) Nos.12133 and 13404 of 2023

21.06.2023