



W.P(MD)No.15123 of 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 26.06.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN**

**W.P(MD).No.15123 of 2023**  
**and WMP(MD)No.12738 of 2023**

V.Athisivam

... Petitioner

**Vs**

1. The District Collector,  
Sivagangai District, Sivagangai.
2. The Superintendent of Police,  
Sivagangai District, Sivagangai.
3. The Tasildar,  
Sivagangai Taluk Office,  
Sivagangai District.
4. The Deputy Superintendent Of Police,  
Sivagangai Sub Division,  
Sivagangai District.
5. The Sub Inspector of Police,  
Madhagupatti Police Station,  
Sivagangai District.
6. G.Kailasam

... Respondents



W.P(MD)No.15123 of 2023

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 5 to permit the petitioner and his community people to participate in the Mulaippari Edukkum Thiruvizha at Shree Sundara Mariyamman Temple in Piravaloor village, Okkur post, Sivagangai Taluk, Sivagangai District by considering the petitioner's representation, dated 17.06.2023.

For Petitioner : Mr.S.Baskar Mathuram  
for M/s.Mathuram Law Associates

For R1 to R5 : Mr.D.S.Nedunchezian  
Standing Counsel

For R5 : Mr.K.Balasundaram  
Senior Counsel

For R6 : Mr.R.Paranjothi

### **ORDER**

Let me dispose of the writ petition, since the learned counsel appearing for the petitioner, learned Standing Counsel, who appears on behalf of the respondents 1 to 4, learned Senior Counsel, who appears on behalf of the fifth respondent and the learned counsel, who appears on behalf of the sixth respondent had given instructions and I must really appreciate the stand taken by them.



W.P(MD)No.15123 of 2023

2.The entire issue relates to participation of Mulaipari Edukkum Thiruvizha at Shree Sundara Mariyamman Temple, according to the learned Senior Counsel it is Shree Valliamman Temple at Piravalloor village, Okkur post, Sivagangai Taluk, Sivagangai District. The function is to take place on tomorrow, ie., 27.06.2023. The petitioner had given a representation on 17.06.2023.

3.A peace committee meeting was held and the petitioner and his group, who had been categorized as 'A' group and the fifth respondent and his group, who had been categorized as 'B' group, had participated.

4.It is the contention of the sixth respondent that while conducting Mulaipari and planting it another place, ie., Manthai/Mulaipari Thinnai, the petitioner should not use the safety locker put up by the sixth respondent which is situated in the said Manthai, but they can use any other place.

5.The time is quite narrow. Let the sixth respondent do the Mulaipari on 28.06.2023 and on the subsequent dates, either on 29.06.2023 or



*W.P(MD)No.15123 of 2023*

on 30.06.2023, the petitioner and his group can conduct Mulaipari. However, the petitioner should not go over to the Manthai/Mulaipari Thinnai, where the safety locker situates, they may choose another place. Before the next year festival, the petitioner can choose another place and seek independent locker

6. Another issue of the petitioner is about the usage of common fund for the function. It is specifically stated that there is no amount in the common fund to conduct Mulaipari.

7. Let the petitioner first conduct the festival ie., Mulaippari Edukkum Thiruvizha, without causing hindrance or raising objection to the sixth respondent and his group on 28.06.2023 and maintain peace. Let the petitioner and his group conduct the festival on 29.06.2023, on which date, the sixth respondent and his group should not interfere with the petitioner and his group. The petitioner should not use the safety locker, which is situated in the Manthai/Mulaipari thinnai, they can use any other place for this purpose.



W.P(MD)No.15123 of 2023

8.With the above directions, this writ petition stands disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

**26.06.2023**

NCS : Yes/No  
Index : Yes / No  
Internet: Yes/ No  
PNM

**Note : Issue order copy on 27.06.2023**

To

1. The District Collector,  
Sivagangai District, Sivagangai.
2. The Superintendent of Police,  
Sivagangai District, Sivagangai.
3. The Tasildar,  
Sivagangai Taluk Office,  
Sivagangai District.
4. The Deputy Superintendent Of Police,  
Sivagangai Sub Division,  
Sivagangai District.
5. The Sub Inspector of Police,  
Madhagupatti Police Station,  
Sivagangai District.



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*W.P(MD)No.15123 of 2023*

**C.V.KARTHIKEYAN, J.**

PNM

ORDER IN  
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**26.06.2023**