



W.P(MD)Nos.20880 & 20648 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)Nos.20880 & 20648 of 2022

and

W.M.P(MD)Nos.14976 & 14977 of 2022

W.P(MD)No.20880 of 2022:

R.Veeraiya

... Petitioner

Vs

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.
- 2.The Tahsildar,
Office of the Tahsildar,
Elyangudi Taluk,
Sivagangai District.
- 3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Sivagangai Sub-division,
Sivagangai District.
- 4.The Inspector of Police,
Salaigramam Police Station,
Sivagangai District.

5.S.Pandi

... Respondents



W.P(MD)Nos.20880 & 20648 of 2022

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1, 3 and 4 to implement the order passed by the second respondent in Na.Ka.A1/2121/2022 dated 22.08.2022 during the festival of Arulmigu Sree Muthumariamman Temple every year in letter and spirit.

For Petitioner : Mr.H.Arumugam
for Mr.P.Murugesan

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)
for R.1, R.3 & R.4

Mr.A.K.Manickkam
Special Government Pleader for R.2

Mr.G.Hariharan for R.5

W.P(MD)No.20648 of 2022:

S.Pandi

... Petitioner

Vs

1.The Tahsildar,
Taluk Office,
Ilaiyankudi Taluk,
Sivagangai District.

2.Veeraiah

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the first respondent in Na.Ka. A1/2121/2022



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dated 22.08.2022, quash the same and consequently direct the first respondent to permit the petitioner to carry Karagam during the festival of Sri Muthumariamman Thirukovil, Therkuvalasaikkadu Village, Ilaiyankudi Taluk, Sivagangai District to be conducted from 20.09.2022 to 28.09.2022.

For Petitioner : Mr.G.Hariharan

For Respondents : Mr.A.K.Manickkam
Special Government Pleader for R.1

Mr.H.Arumugam
for Mr.P.Murugesan for R.2

COMMON ORDER

Heard the learned counsel on either side.

2. Thiru.S.Pandi / the petitioner in W.P(MD)No.20648 of 2022 and the respondent in the other writ petition is present in person before this Court. The issue concerns the celebration of petition mentioned festival. Dispute has arisen because Thiru.S.Pandi had insisted that he alone would take what is known as “Karagam”. He even filed O.S.No.40 of 2022 before the District Munsif Court, Ilaiyankudi seeking permanent injunction in this regard. The suit was dismissed on 23.12.2022 and Thiru.S.Pandi was relegated to avail statutory remedy under the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.



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3. I suggested to the learned counsel on either side and also to Thiru.S.Pandi that the issue could be given quitus. I am happy to record that the request made by this Court was readily accepted by both the sides.

4. Mr.H.Arumugam, learned counsel appearing for R.Veeraiya submitted that they will not oppose Thiru.S.Pandi for taking part in the festival and also allow him to take Karagam along with others. Their only grievance is that Thiru.S.Pandi should not lay any exclusive claim. Thiru.S.Pandi also readily conceded that he will not claim any exclusive right to take Karagam. He would participate in the festival along with others and not claim any preferential right. Since both the parties are arrived at consensus, the writ petitions are disposed of accordingly. The festival can very well conducted. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

04.01.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

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



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- 2.The Tahsildar,
Office of the Tahsildar,
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Sivagangai Sub-division,
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G.R.SWAMINATHAN, J.

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