



W.P.(MD) No.5918 of 2014

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2023

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THE HONOURABLE Ms.JUSTICE P.T.ASHA

**W.P.(MD) No.5918 of 2014
and
M.P.(MD) No.1 of 2014**

S.Marimuthu

... Petitioner

/vs./

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

2.The Inspector of Police,
Ulagampatti Police Station,
Sivagangai

3.The Executive Officer,
Arulmigu Muthumariamman Thirukoil,
R.Balakurichi, Ponnamaravathi Taluk,
Pudukottai District.

4.A.Muthukrishnan

5.N.Kittu @ Ramakrishnan

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 to give police protection to the petitioner and his family members in performing the Mandagapaddi and getting honour like as Kathi Eduthu Koduppathu, Malai Mariyadhai, Viboothi Mariyadhai, Kaalanji Mariyadhai at the time of Paunguni festival to be celebrated in the temple of Arulmigu Muthumariamman Thirukkoil along with Iyyanar Temple, Veerappa Kovil-Oorkavalan @ Periyakaruppar Koil situate at R.Balakkurichi, Ponnamaravathi Taluk, Pudukottai District for each and every year on the basis of the representation dated 25.03.2014.

For Petitioner : Mr.K.Sureshkumar

For R1 & R2 : Mr.T.Amjadkhan
Government Advocate

For R3 : Mr.S.Madhavan

For R4 & R5 : Mr.K.Baalasundaram

ORDER

The above writ petition is filed seeking for the issue of a Mandamus directing the respondents 1 and 2 to give police protection to the petitioner and his family members in performing Mandagapaddi and getting honour like Kathi Eduthu Koduppathu, Malai Mariyadhai, Viboothi Mariyadhai, Kaalanji



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Mariyadhai at the time of Paunguni festival to be celebrated in the temple called Arulmigu Muthumariamman Thirukkoil along with Iyyanar Temple, Veerappa Kovil-Oorkavalan @ Periyakaruppar Koil situate at R.Balakkurichi, Ponnamaravathi Taluk, Pudukottai District for each and every year on the basis of the representation dated 25.03.2014.

2.The learned Government Advocate for the respondents 1 and 2 has brought to the notice of the fact that the petitioner has moved a subsequent writ petition in W.P.(MD) No.7715 of 2018, wherein he had sought for the following relief:-

“.....seeking for the issue of a Writ of a Certiorarified Mandamus calling for the entire records pertaining to the impugned order dated 28.03.2018 passed by the first respondent in Na.ka.No.2747/2018/A2, quashing the same as illegal and directing the respondents 1 to 3 to permit the petitioner to perform the Mandagapadi and getting honour like as Kathi Eduthu Koduppathu, Malai Mariyadhai, Viboothi Mariyadhai, Kaalanji Mariyadhai with adequate police protection at the time of Panguni Festival to be celebrated in the temple of Arulmighu Muthumariamman Thirukkoil along with Iyyanar Temple, Veerappa Kovil-Oorakavalan @ Periyakaruppar Koil situated at R.Balakkurichi, Ponnamaravathi Taluuk, Pudukkottai District for each and every year.”



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3.In the said writ petition, it has been stated by the learned counsel for the petitioner that he would not be pressing for police protection. That apart, the relief that is now sought for is in the lines of a perpetual order, which cannot be granted.

4.In the light of the submissions made by the petitioner, the subsequent writ petition and considering the relief sought for, this Court cannot grant such a blanket order. Consequently, the Writ Petition is dismissed. However, liberty is given to the petitioner to approach the appropriate authority, if so required. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

05.04.2023

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To

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Sivagangai District,
Sivagangai.
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P.T.ASHA, J.

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