



W.P.(MD)No.19650 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.19650 of 2023
and
W.M.P.(MD)No.16226 of 2023

N.Singaram

... Petitioner

vs.

- 1.The District Collector,
Pudukkottai District,
Pudukkottai.
- 2.The Revenue Divisional Officer,
Illuppur, Pudukkottai District.



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W.P.(MD)No.19650 of 2023

3.The Tahsildar,
Viralimalai Taluk,
Pudukottai District.

4.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Pudukkottai.

5.T.Suresh Gounder

6.Durairaj

7.Chandrasekar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 to 4 to permit the petitioner to conduct temple festival of Arulmigu Karunguli Karuppasamy Temple situated at Nambampatti Village, Illuppur Taluk, Pudukkottai District, scheduled on 11.08.2023 or any other subsequent dates as per the order of this Court in W.P.(MD)No.16813 of 2022, dated 08.08.2022.



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W.P.(MD)No.19650 of 2023

For Petitioner : Mr.M.Saravanan
For R1 to 3 : Mr.A.K.Manikkam
Special Government Pleader
For R4 : Mr.S.P.Maharajan
Special Government Pleader
For R5 : Mr.K.Navaneetha Raja

ORDER

This writ petition is filed for writ of Mandamus, to direct the respondents 1 to 4 to permit the petitioner to conduct temple festival of Arulmigu Karunguli Karuppasamy Temple situated at Nambampatti Village, Illuppur Taluk, Pudukkottai District, scheduled on 11.08.2023 or any other subsequent dates as per the order of this Court in W.P.(MD)No. 16813 of 2022, dated 08.08.2022.



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W.P.(MD)No.19650 of 2023

2. The petitioner and the 5th respondent belong to the same village. The temple festival is being conducted by two villages, which are having more than 450 families. There was a dispute between the rival groups for heading (Nattamai) the festival. In the peace committee meeting dated 19.04.2022, it was agreed that for Purasampatti village, one Chandrasekar would head the festival. Since there is no rival claim in Purasampatti village, the said Chandrasekar was given the said right for alternative years.

3. As far as the Nambampatti village is concerned, three persons are claiming the said right. Therefore, the petitioner was granted in the year 2023, Mr.Suresh was granted in the year 2025 and Mr.Durairaj was



W.P.(MD)No.19650 of 2023

WEB COPY

granted in the year 2027. To be more specific, the relevant portion is extracted hereunder:

- 2022-ஆம் வருடம் புரஸம்பட்டி கிராம பொதுமக்கள் சார்பாக திரு.சந்திரசேகர் தரப்பில் திருவிழா நடத்திக்கொள்ள முடிவெடுக்கப்பட்டது.
- 2023-ஆம் வருடம் நம்பப்பட்ட கிராம தரப்பில் திரு.சிங்காரம் தரப்பினரும்.
- 2024-ஆம் வருடம் புரஸம்பட்டி கிராம தரப்பில் திரு.சந்திரசேகர் தரப்பினரும்.
- 2025-ஆம் வருடம் நம்பப்பட்ட கிராம தரப்பில் திரு.சுரேஷ் தரப்பினரும்
- 2026-ஆம் வருடம் புரஸம்பட்டி கிராம தரப்பில் திரு.சந்திரசேகர் தரப்பினரும்.
- 2027-ஆம் வருடம் நம்பப்பட்ட கிராம தரப்பில் திரு.துணராஜ் தரப்பினரும் திருவிழா நடத்திக்கொள்ள முடிவெடுக்கப்பட்டது.

4. The contention of the petitioner is that last year, when the temple festival was about to be conducted, the 5th respondent did not allow the said Chandrasekar to conduct the festival. However, the 5th respondent contended that he organized the festival but others did not



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W.P.(MD)No.19650 of 2023

allow to conduct the festival. It is not known how the 5th respondent organized the festival when it was the turn of the Purasampatti village headed by the said Chandrasekar. Whatever be the reasons last year the festival was not conducted.

5. Again for this year 2023, there is rival claim by the petitioner N.Singaram and the 5th respondent T.Suresh. As per the peace committee meeting dated 19.04.2022, it has been agreed that the petitioner N.Singaram would conduct the festival in the year 2023, then the 5th respondent T.Suresh has no right to interfere in this year's festival. The 5th respondent's right would arise only in the year 2025 and hence the said T.Suresh cannot hinder the right of the petitioner.



W.P.(MD)No.19650 of 2023

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6. Therefore, the petitioner is directed to conduct the festival. The 5th respondent shall participate in the festival. However, the 5th respondent claims that last year he has prepared some horses which would be offered to the deity. As far as the offering of horses is concerned, the petitioner is permitted to offer his horse in the morning until 02:00 PM. From 02.00 PM onwards, the 5th respondent shall place his horses and offer the same to the deity. This offering of horses as stated supra is only for the present year alone, since last year the festival was not conducted. This special permission for this year cannot be carried on for the upcoming years. As per the peace committee meeting dated 05.08.2023 nobody is entitled to any First Honour.



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W.P.(MD)No.19650 of 2023

7. With the above said observation, the writ petition is disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No

10.08.2023

Internet : Yes

NCC : Yes / No

Tmg

Note: Issue order copy on **11.08.2023.**



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W.P.(MD)No.19650 of 2023

To

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W.P.(MD)No.19650 of 2023

S.SRIMATHY, J

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W.P.(MD)No.19650 of 2023

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