



W.P(MD)No.20006 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.20006 of 2023 and
WMP(MD) Nos.16504 & 16505 of 2023

Maravar Pothu Uravinmurai Peraiyur,
Rep through its President,
G.Karuppaiah,
Madurai.

... Petitioner

Vs

1.The Tahsildar,
Taluk Office,
Peraiyur,
Madurai.

2.The Deputy Superintendent of Police,
Peraiyur Division,
Peraiyur,
Madurai District.

3.The Inspector of Police,
F1, Police Station,
Peraiyur,
Madurai District.

4.K.K.G.Kamatchi
5.K.K.M.Muthuvel
6.Sargunam
7.Gurusamy
8.K.Kaleeswaran

...Respondents



W.P(MD)No.20006 of 2023

WEB COPY

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records of the first respondent, dated 10.08.2023 and quash the same as arbitrary, ultravires, contrary to the provisions of Criminal Procedure Code, 1973.

For Petitioner	: Mr.T.Sivanthan
For R1	: Mrs.D.Farjana Ghoushia Special Government Pleader
For R2 & R3	: Mr.P.Kottaichamy Government Advocate
For R5	: Mr.S.Rajasekar for M/s. Lajapathi Roy Associates

ORDER

This writ petition is filed as against the proceedings of the Tahsildar, Peraiyur in a Peace Committee Meeting conducted on 10.08.2023. This meeting was conducted pursuant to the dispute between the two groups in conducting Kumbabisekam of Manthai Amman Temple, Peraiyur on 20.08.2023. The Tahsildar, Peraiyur, by order impugned in this writ petition has permitted the one group to conduct the Kumbabisekam of the temple. Aggrieved over the same, the other group has filed this writ petition.



W.P(MD)No.20006 of 2023

WEB COPY

2.Considering the issue involved in this writ petition, this Court, by order dated 17.08.2023 has passed the following interim directions:-

- i) The Kumbabhishekam festival shall be conducted as scheduled on 20.08.2023.
- ii) The first respondent / Thasildar and the third respondent / Inspector of Police, Peraiyur Police Station shall conduct the Kumbabhishekam festival, in a peaceful manner and shall ensure that all the parties are given due representation to have their dharsan. There shall not be any first honour to anybody during the festival.
- iii) The petitioner shall deposit a sum of Rs. 5,00,000/- before the first respondent / Thasildar.
- iv) The Thasildar shall maintain the amount in a separate account and shall utilize the same for the purpose of meeting out the expenses, if any, for conducting the Kumbabhishekam festival.
- v) The Thasildar shall return the balance



W.P(MD)No.20006 of 2023

amount along with the details of expenditure to the petitioner, after the conduct of the festival.

- vi) The petitioner and the fifth respondent shall co-operate for the conduct of the Kumbabhishekam in a peaceful manner by the Thasildar.

3. Today(07.09.2023), when this writ petition is taken up for hearing, it is reported that the Kumbabisekam of the above temple was conducted in a peaceful manner as per the earlier order of this Court. It is also informed that with regard to the dispute, civil suits are pending before the competent civil Court.

4. If the petitioner is still having any grievance with regard to the administration of the temple, he can very well approach the Joint Commissioner, HR & CE Department, under Section 63 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, for framing a Scheme for the administration of the Temple or the parties shall work out their remedy before the competent Civil



W.P(MD)No.20006 of 2023

Court, where, the litigation is already pending.

WEB COPY

5. Accordingly, this writ petition is disposed of. No costs.

Consequently, connected Miscellaneous Petitions are closed.

07.09.2023

NCC :Yes/No

Index :Yes/No

Internet:Yes

vrn

To

1. The Tahsildar,
Taluk Office,
Peraiyur,
Madurai.
2. The Deputy Superintendent of Police,
Peraiyur Division,
Peraiyur,
Madurai District.
3. The Inspector of Police,
F1, Police Station,
Peraiyur,
Madurai District.



WEB COPY



W.P(MD)No.20006 of 2023

B.PUGALENDHI, J.

vrn

Order made in
W.P(MD)No.20006 of 2023 and
WMP(MD) Nos.16504 & 16505 of 2023

07.09.2023