



W.P.(MD)No.20386 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.20386 of 2023
and W.M.P.(MD)No.16824 of 2023

M.C.Nagarajan

... Petitioner

versus

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Superintendent of Police,
Sivagangai District,
Sivagangai.
3. The Tahsildar,
Manamadurai Taluk,
Sivagangai District.
4. The Revenue Inspector,
Manamadurai,
Sivagangai District.
5. The Inspector of Police,
Manamadurai Police Station,
Manamadurai,
Sivagangai District.



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6. Balamurugan

7. Sekar

8. Malaichamy

9. Manikandan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the respondents 1 and 3 to take action against the respondents 6 to 9 for not permitting the petitioner to worship or participate in the Arulmighu Shri Muthumariamman Temple Festival to be held on 22.08.2023 at Theeyanur Mangaiyendhal Village, Melapasali Post, Manamadurai Taluk, Sivagangai District, in the light of the resolution made in the Peace Committee Meeting dated 14.08.2023.

For Petitioner	: Mr.K.Sivabalan
For R1, R3 and R4	: Mr.G.V.Vairam Santhosh, Additional Government Pleader
For R2 and R5	: Mr.P.Kottaichamy, Government Advocate (Crl. Side)

ORDER

The petitioner, with a grievance that the respondents 6 to 9 have not complied with the resolution passed by the 3rd respondent in the



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Peace Committee Meeting held on 14.08.2023, has filed this writ petition for a Mandamus, directing the respondents 1 and 3 to take action against the respondents 6 to 9 for not permitting him to worship and participate in the Arulmighu Shri Muthumariamman Temple Festival to be held on 22.08.2023,

2. The learned counsel appearing for the petitioner submits that the petitioner is one of the festival committee member of the village Temple, namely, Arulmighu Shri Muthumariamman Temple, situated at Theeyanur Mangaiyendhal Village, Melapasali Post, Manamadurai Taluk, Sivagangai District. There are two groups in the village temple festival committee, namely 'A' group and 'B' group. According to him, 'B' group along with their supporters including the respondents 6 to 9 arranged a meeting personally and planned to conduct temple festival on 22.08.2023 and fixed the tax as Rs.3,000/- from the Villagers for conducting the temple festival. The said meeting was conducted by 'B' group without informing 'A' group and other villagers. On 04.08.2023,



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the petitioner along with village people submitted a petition before the 5th respondent Police stating that there is a possibility of law and order problem while conducting Arulmighu Shri Muthumariamman Temple Festival by the 'B' group along with their supporters. The said petition was forwarded to the 3rd respondent/the Tahsildar, Manamadurai Taluk, Sivagangai District, who in turn, conducted a Peace Committee Meeting on 14.08.2023 at about 3.00 p.m., In the said Peace Committee Meeting, both the groups, namely 'A' group and 'B' group and other village people have participated and a resolution has been passed by the 3rd respondent that all the parties shall fix a date for festival and conduct the festival in a peaceful manner. Now, the grievance of the petitioner is that despite the decision taken in the Peace Committee meeting, the 'B' group, without following the same, arranged the temple festival and collected the tax amount arbitrarily and unilaterally.

3. Mr.G.V.Vairam Santhosh, learned Additional Government Pleader, who takes notice for respondents 1, 3 and 4, on instructions



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submits that based on the reference made by the 5th respondent Police, a Peace Committee Meeting was conducted by the 3rd respondent/the Tahsildar, Manamaduri, on 14.08.2023, wherein, the petitioner's group and other group have participated and a resolution has also been passed. If the petitioner is having a grievance that the resolution passed in the Peace Committee Meeting has not been adhered to by the respondents 6 to 9, he can work out his remedy in the manner known to law.

4. This Court considered the rival submissions and perused the materials placed on record.

5. The petitioner has filed this writ petition on 18.08.2023 that the respondents 6 to 9 have not permitted his group to participate in the temple festival to be held on 22.08.2023. Based on the complaint given by the petitioner, the 5th respondent Police forwarded the same to the 3rd respondent/the Tahsildar, Manamadurai. On receipt of the same, the 3rd



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respondent conducted a Peace Committee Meeting, wherein, both the groups have participated in the meeting and they have also accepted for permitting the petitioner's group to participate in the temple festival and a resolution has been passed by the 3rd respondent.

6. The resolution passed in the Peace Committee Meeting is not having any statutory force and therefore, the non-implementation of the resolution cannot be treated as a ground for taking action as against the respondents 6 to 9. The petitioner can work out his remedy in the manner known to law.

7. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

22.08.2023

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NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.



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B.PUGALENDHI, J.

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