



Rev.Aplw(MD)No.167 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Rev.Aplw(MD)No.167 of 2023
in
WP(MD)No.17693 of 2023

Pandaram Chettiar

... Petitioner

v.

1.The District Collector,
Tenkasi District,
Tenkasi.

2.The Revenue Divisional Officer,
Tenkasi
Tenkasi District.

3.The Tahsildar,
Alangulam Taluk,
Tenkasi District.

4.The Inspector of Police,
Pavoorchathiram Police Station,
Tenkasi District.

5.Murugesan

... Respondents



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Petition filed under Order 47 Rule 1 r/w 114 of the Civil Procedure Code to review the order passed by this Court in WP(MD)No.17693 of 2023, dated 25.07.2023.

For Review Petitioner : Mr.A.C.Vinayagarajan

ORDER

The petitioner is one of the devotees of Periya Kovil situated at Keelappavoor Village, Alangulam Taluk, Tenkasi District. There is a dispute between two groups in naming the Temple as Periya Kovil / Periya Samy Kovil and in this regard, a suit is also pending before the District Munsif Court, Alangulam, in OS.No.6 of 2021.

2.The petitioner, challenging the decision taken in the peace committee meeting with regard to conduct of joint temple festival by both factions, has filed the writ petition in WP(MD)No.17693 of 2023. When the said writ petition came up for hearing, it was represented on behalf of the petitioner that they have arrived upon an amicable settlement and that since the petitioner group has conducted the festival in the previous year,



they are not having any objections for the fifth respondent and group to conduct the festival for this year. For the other reliefs, it was agreed upon by the parties to work out their remedy before the Principal District Munsif Court, Alangulam, in the pending suit. By recording the aforesaid submissions made by either parties, the said writ petition was disposed of.

3.It appears that the petitioner, pursuant to the order passed in WP(MD)No.17693 of 2023, has approached the fourth respondent seeking police protection for jointly celebrating the festival. The petitioner claims that the fourth respondent, at the instance of the fifth respondent, has negatived their request and further informed that their group will not be permitted to participate in the temple festival, since the order of this Court is in the favour of the other party. Therefore, the petitioner has moved this review application.

4.The order passed by this Court in the writ petition in WP(MD)No. 17693 of 2023, dated 25.07.2023, is in clear terms. Since the festival for the previous year was conducted by the petitioner and group, the festival



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for this year has to be conducted by the fifth respondent and group. This

order was passed by recording the submissions made by either parties.

Therefore, it is not for the petitioner to seek any police protection for the conduct or joint conduct of festival for this year.

5.Inasmuch as the grievance of the petitioner with regard to the participation in the temple festival is concerned, it is made clear that nobody can prevent anybody from participating in a temple festival. The order passed in the writ petition is with regard to the conduct of the festival and not with regard to the participation in the festival. The fourth respondent shall ensure that all people, including the petitioner and group, are permitted to participate in the temple festival and are permitted to provide their offerings, if any.

With the above observations, this review application stands disposed of. No costs.

Index : Yes / No
NCC : Yes / No
gk

22.09.2023



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B.PUGALENDHI, J.

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