



WP (MD) No.20824 of 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 25.08.2023**

**CORAM:**

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**WP(MD)No.20824 of 2023  
and  
WMP(MD)No.17240 of 2023**

P.Balamurugan

... Petitioner

Vs

1.The District Collector,  
Tuticorin District,  
Tuticorin.

2.The Tahsildar,  
Office of the Tahsildar Town,  
Toovipuram, Tuticorin.

3.The Inspector of Police,  
North Police Station,  
Tuticorin.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the 1<sup>st</sup> respondent to arrange the peace committee meeting with the 2<sup>nd</sup> respondent for conducting Sri Brammasakthi, Sri Petchiamman and Sri Vembadi Sudalaimada Swamy Temple Festival situated at Muthu Naicker Kovil Street, Thoothukudi which is held on 28.08.2023 to 30.08.2023 by considering the petitioner's representation dated 23.08.2023 in person and 24.08.2023.



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For petitioner : Mr.K.R.Shivashankari  
For Respondent : Ms.D.Farjana Ghousia,  
Nos.1 and 2  
For Respondent : Mr.P.Kottaichamy  
No.3 Government Advocate  
For proposed : Mr.R.Anand  
Respondent

**ORDER**

The petitioner is a devotee of Sri Brammasakthi, Sri Petchiamman and Sri Vembadi Sudalaimada Swamy Temple situated at Muthu Naicker Kovil Street, Thoothukudi. According to the petitioner, this temple is the family deity of the petitioner and other pangalis. The petitioner with a grievance that one S.Nallaperumal is intending to conduct the temple festival separately from 28.08.2023 to 30.08.2023. Therefore, the petitioner has submitted a representation before the Tahsildar and the Police and filed this writ petition for a direction to the 1<sup>st</sup> respondent to conduct peace committee meeting by considering her representation dated 23.08.2023.

2.The learned Counsel for the petitioner submits that one Arumugakonar was the performing the poojas in the temple and after his demise, his four sons namely, S.Nallaperumal, S.Kanthasamy, S.Chellappa and S.Andaperumal have



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been celebrating the festival for the past 20 years. While so one N.Senthil Kumar, S/o.Nalla Perumal wanted the first respect to him in the temple festival, has filed a suit in O.S.No.85 of 2023 before the District Munsif, Thoothukudi for declaration. Pending the suit, one S.Muthuganesh, S/o.N.Senthil Murugan has filed a writ petition before this Court in WP(MD)No.20025 of 2023 that they are conducting the temple festival from 22.08.2023 to 30.08.2023 and sought for a direction for police protection and this Court by order dated 18.08.2023 directed the Inspector of Police, North Police Station, Thoothukudi to consider the petitioner's representation and grant permission for conducting temple festival. This Muthu Ganesh, according to the learned Counsel for the petitioner is son of Senthil Murugan, who has filed the suit for the sake of first respect in the temple festival.

3.Mr.R.Anand, learned counsel sought permission of this Court to file a petition for impleading one Muthu Ganesh and submits that they have already decided to conduct the temple festival from 28.08.2023 to 30.08.2023 and apprehending law and order problem from this petitioner group, they have submitted a representation to the 3<sup>rd</sup> respondent and filed a writ petition before this Court in WP(MD)No.20025 of 2023, wherein this petitioner has intervened and



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has raised certain objections for conducting the temple festival on 23.08.2023 to 30.08.2023. However, the objection of the petitioner was rejected by this Court that offering of the prayer in the temple is everybody's right and anybody who has got faith in the temple or deity, can offer prayers and conduct the festival and this Court directed the respondents therein to give protection and permission to the petitioner for conducting temple festival.

4.The learned Counsel for the petitioner in reply to the above submitted that they have not intervened in the writ petition filed by Muthu Ganesh and they were not aware of the proceedings. Only later on they came to know about the orders of this Court.

5.The learned Special Government Pleader appearing for the respondent Nos.1 and 2 submits that they are not having any inclination to conduct peace committee meeting.

6.The learned Government Advocate (Crl Side) appearing for the respondent No.3 submits that based on the representation of the petitioner, a request was made to the Tahsildar by letter date 04.08.2023 to conduct peace committee meeting.



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7. This Court considered the rival submissions and perused the materials

placed on record.

8. The prayer sought for in this writ petition is for a direction to conduct peace committee meeting. There is no provision under the Statute enabling the revenue officials to conduct peace committee meeting and it is not having any statutory value. In the absence of any provisions in the Statute enabling the officials to conduct peace committee meeting, this Court is not inclined to issue the direction as sought for. Moreover, the writ petition filed by one Muthu Ganesh in WP(MD)No.20025 of 2023 was entertained by this Court and this Court by order dated 18.08.2023 directed the Inspector of Police, North Police Station, Thoothukudi to consider the petitioner's representation and grant permission for conducting temple festival. Further from the submission of the learned Counsel for the proposed respondent, it is seen that the temple festival has already commenced.

9. In view of the above, this writ petition is dismissed. No costs. Consequently connected miscellaneous petition is closed.

25.08.2023



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To

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**B.PUGALENDHI, J.**

**dsk**

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