



W.P.(MD) No.22942 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.09.2023

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THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD) No.22942 of 2023

M.Shenbaga Kani

... Petitioner

/vs./

**1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.**

**2.The Sub Inspector of Police,
Thirukarungudi Police Station,
Tirunelveli District.**

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Second respondent to give permission and protection to conduct Thiruvizha along with other villagers in Sriman Narayanasamy Temple situated in South Mavadi Village, Nanguneri Taluk, Tirunelveli District on 24.09.2023 and 25.09.2023 by considering the representation dated 12.09.2023.

For Petitioner : Mr.K.Jeyamohan
For Respondents : Mr.SS.Madhavan
Government Advocate (Crl.side)



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ORDER

This Writ Petition is filed under Article 226 of the Constitution of India seeking for a Mandamus directing the respondent police to give permission and protection to conduct thiruvizha along with other villagers in Sriman Narayanasamy temple on 24.09.2023 and 25.09.2023 situated at South Mavadi Village, Nanguneri Taluk, Tirunelveli District.

2.It is submitted by the learned counsel that the petitioner stated to have filed a representation dated 12.09.2023 to the respondent police seeking permission to conduct thiruvizha along with other villagers in Sriman Narayanasamy temple on 24.09.2023 and 25.09.2023 situated at South Mavadi Village, Nanguneri Taluk, Tirunelveli District, but the same has not been considered so far. It is submitted further that in the month of February, 2023, the villagers were permitted to conduct the Kumbabishegam by the same police and now under the influence of the President of the Panchayat, who has been allegedly encroaching a part of the land belonging to the temple, the permission has not been given.



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3.The learned Government Advocate (Crl.side) has submitted that though the petitioner is a part of the villagers, who have conducted the Kumbabishegam earlier, now the petitioner alone is intending to conduct the festival, for which the other villagers are opposing. It is submitted further that in case if the petitioner is permitted to conduct the festival, he shall not receive any donation from others, for which the learned counsel for the petitioner is accepted.

4.Considering the submissions made by the learned counsel on either side, this Petition is disposed of directing the respondent police to consider and dispose of the representation of the petitioner dated 12.09.2023 and make an enquiry with regard to other villagers and grant the permission, if there is no dispute among the persons in respect of conducting of the festival. No costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

21.09.2023

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Note : Issue order copy on 22.09.2023

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To

- 1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 2.The Sub Inspector of Police,
Thirukarungudi Police Station,
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DR.D.NAGARJUN, J.

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