



W.P.(MD)No.23487 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.23487 of 2023

and

W.M.P.(MD).No.19689 of 2023

M.Joseph Amalraj

... Petitioner

Vs

1.The Revenue Divisional Officer,
Ilaiyangudi Taluk,
Sivagangai District.

2.The Tahsildar,
Ilaiyangudi Taluk,
Sivagangai District.

3.The Deputy Superintendent of Police,
Sivagangai.

4.The Inspector of Police,
Ilaiyangudi Police Station,
Sivagangai.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records, pertaining to the impugned order passed by the fourth respondent, vide Na.Kaa.No. 30/Kaa.A/Ilai/Siva/2023, dated 14.09.2023 and quash the same as void and thereby, direct the respondents to permit the petitioner and Christians of the same Kunappanenthal Village to celebrate 152nd Church Celebrations in Kanappanenthal Village in Illainyankudi Taluk in Sivagangai District.

For Petitioner : Mr.F.X.Eugene

For Respondents : Mr.B.Thanga Aravindh

Government Advocate (Criminal Side)



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ORDER

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This Writ Petition is filed under Article 226 of the Constitution of India seeking for a direction to the respondent Police to permit the petitioner to conduct 152nd Church Celebrations at Kanappanenthal Village, Illainyankudi Taluk, Sivagangai District, by setting aside the orders passed by the fourth respondent, vide Na.Kaa.No.30/Kaa.A/Ilai/Siva/2023, dated 14.09.2023.

2. It is submitted by learned counsel for the petitioner that the petitioner being the Christian intending to celebrate 152nd Church Celebrations on 29.09.2023, however, the respondent Police have refused to give permission on the ground that there is a possibility of law and order problem in the Village on account of rivalry between the petitioner and other groups. It is submitted that there are more than ten cases have been registered on account of rivalry between the petitioner's group and rival group in the Village. Learned counsel for the petitioner further submits that last year when similar situation is happened, the Revenue Divisional Officer / first respondent has conducted a Peace Committee Meeting and as per the resolutions of the said Meeting, compromise entered into and the festival was conducted peacefully.

3. Learned Government Advocate (Criminal Side), on the other hand, submits that, the petitioner has conducted the festival in violation of the said resolutions of the Peace Committee Meeting.



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4. Considering the submissions made by both sides and on perusal of records, this writ petition is disposed of, directing the Revenue Divisional Officer / first respondent to immediately conduct a Peace Committee Meeting with all the persons including the rival parties and consider the representation of the petitioner by arriving at an amicable conclusion, so that, the petitioner can conduct the festival on 29.09.2023. No costs. Consequently, the connected miscellaneous petition is closed.

27.09.2023

NCC:yes/no

Index:yes/no

Internet:yes/no

tsg

Note : Issue Order Copy by **27.09.2023**

To

1.The Revenue Divisional Officer,
Ilaiyangudi Taluk,
Sivagangai District.

2.The Tahsildar,
Ilaiyangudi Taluk,
Sivagangai District.

3.The Deputy Superintendent of Police,
Sivagangai.

4.The Inspector of Police,
Ilaiyangudi Police Station,
Sivagangai.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

<https://www.mhc.tn.gov.in/judis>



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DR.D.NAGARJUN, J.

tsg

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