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W.P.(MD)NO.30586 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 22.12.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)Noa.30586 & 31116 of 2023 AND
W.M.P.(MD)Nos.26293, 26295 & 26672 of 2023

W.P.(MD)No.30586 of 2023

S.Rajesh

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District,
Kanyakumari.
2. The Sub Divisional Magistrate cum
Sub Collector,
Padmanabapuram,
Kanyakumari District.
3. The Superintendent of Police,
Kanyakumari District,
Kanyakumari.
4. The Inspector of Police,
Nithiravilai police station,
Kanyakumari District.
5. Justus
6. Sathish Kumar

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records of the impugned order in Na.Ka.No.A2/8146/2023



dated 11.12.2023 on the file of the 2nd respondent and quash the same

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For Petitioner : Mr.K.Jeyamohan
For R-1 & R-2 : Mr.K.Balasubramani,
Special Government Pleader.
For R-3&R-4 : Mr.A.Albert James,
Government Advocate.

* * *

W.P.(MD)No.31116 of 2023

T.Justus

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District,
Kanyakumari.
2. The Superintendent of Police,
Kanyakumari District.
3. The Sub Collector,
Sub Collector Office,
Padmanabapuram,
Kanyakumari District.
4. The Deputy Superintendent of Police,
Kulachal police station,
Kanyakumari District.
5. The Thasildar,
Padmanabapuram,
Thackalay, Kanyakumari District.
6. The Inspector of Police,
Nithirvilai police station,



Kanyakumari District.

... Respondents

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Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for records pertaining to the impugned order passed by the 2nd respondent vide Na.Ka.No.A2/8146/2023 dated 11.12.2023 and modify the condition that sounds shall not be used within the premises on the date of event.

For Petitioner : Mr.A.Prabhu Selva Kumar

For R-1, R-3&R-5: Mr.K.Balasubramani,
Special Government Pleader.

For R-2,R-4&R-6 : Mr.A.Albert James,
Government Advocate.

* * *

COMMON ORDER

Heard both sides.

2. The issue that is the subject matter of these writ petitions was the subject matter of more than one writ petition. The earlier orders passed by this Court as well as the Hon'ble Division Bench and also the Hon'ble Supreme Court of India have been enclosed in the typed set of papers.



3. It is now well settled that in the disputed place no religious activities can be permitted. However, the contesting respondents in W.P.(MD)No.30586 of 2023 and the petitioner in the other writ petition submitted that only certain charitable activities are proposed to be conducted tomorrow. On 11.12.2023, in the peace committee meeting convened by the Sub Collector, Padmanabapuram, certain decisions were arrived at. The parties are directed to adhere to the decision taken in the said peace committee meeting. These writ petitions are disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

22.12.2023

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

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Note : Issue order copy on 22.12.2023.



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To:

1. The District Collector,
Kanyakumari District,
Kanyakumari.
2. The Sub Divisional Magistrate cum
Sub Collector,
Padmanabapuram,
Kanyakumari District.
3. The Superintendent of Police,
Kanyakumari District,
Kanyakumari.
4. The Inspector of Police,
Nithiravilai police station,
Kanyakumari District.
5. The Deputy Superintendent of Police,
Kulachal police station,
Kanyakumari District.
6. The Thasildar,
Padmanabapuram,
Thackalay, Kanyakumari District.



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W.P.(MD)NO.30586 OF 2023

G.R.SWAMINATHAN,J.

PMU

W.P.(MD)Noa.30586 & 31116 of 2023

22.12.2023