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W.P.No.12158 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.12158 of 2024

R.Dhanapathi.

... Petitioner

/versus/

1.The District Collector of Cuddalore,
Collectorate Cuddalore,
Cuddalore District – 607 001.

2. The Superintendent of Police,
Manjakkuppam, Cuddalore,
Cuddalore District – 607 001.

3. The Inspector of Police,
Kadampuliyur Police Station,
Cuddalore District – 607 103.

4. Hemamalini.

5. Arumugam.

6. Perumal.

7. Deivaidhinam.

8. Govindharaju.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus by directing the respondents 1 to 3 to grant permission to conduct Sri Muthalamman Temple festival located in the South Street, as per the Meliruppu Village people, Panruti Taluk, Cuddalore District without any quarrel.



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For Petitioner : Mr.C.Kanagaraju
For R1 to R3 : Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)
For R4 to R6 : Mr.S.Nedunchezhiyan

ORDER

Due to rivalry between two groups in the village for conducting the temple festival, the respondent police has refused to give permission to the organisers for conducting temple festival. Hence the petitioner, who is representing one of the group and also Union Councillor of that village is before this Court seeking direction to the respondent police to grant permission. Since, the rival group are arrayed as respondent 4 to 8, notice sent to the respondents and they are before this Court through Counsel.

2. The Learned Government Advocate (Crl.Side) for the respondents 1 to 3 submitted when the request to grant permission received, the parties were called and advised to conduct the temple festival peacefully and amicably but since there was objections regarding who has to conduct the 1st day ceremony, the matter was referred to Revenue Divisional Officer, who in turn conducted enquiry on 09.05.2024. After proceedings under Sections 107



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and 145 of Cr.P.C., he has submitted a failure report. The 2nd attempt to arrive at peace also failed. Hence, fearing law and order problem, the police has refused to grant permission.

3. The Learned Government Advocate (Crl.Side) for the respondents 1 to 3 submits that the third attempts made by the Revenue Authority and Police Authority to arrive at peace between the two groups been also failed and therefore, it is not conducive to permit the villagers to conduct the temple festival.

4. The Learned Counsel appearing on either side submitted that the dispute is in respect of who has to conduct the first day festival. If the first day festival is conducted jointly by entire villagers and second day festival is exclusively conducted by the members of the respondents 4 to 8, there will be no problem or resentment among the villagers.

5. Perusal of the documents indicates that due to group rivalry, the village temple festival has been stopped in the year 1996 and resumed after 10 years. All the members of the respective group had agreed for a methodology how the festival has to be conducted. However, after few years again fight had



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cropped up and the festival could not be conducted last year and this year though attempts were made, it could not be fructified. The parties now agreed for peaceful conduct of the temple festival as stated above. Hence, if any request made to the police jointly by both the groups for permission and protection, the respondent shall may consider the same and provide bandobast.

6. With the above observation, this Writ Petition is disposed of. No costs.

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Index : Yes/No.

Neutral Citation : Yes/No.

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3. The Inspector of Police,
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4. The Public Prosecutor, High Court of Madras, Chennai.



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Dr.G.Jayachandran,J.

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