



W.P.No.17246 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:05.08.2024

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

W.P.No.17246 of 2024
and
W.M.P.No.19031 of 2024

Krishnan

.. Petitioner

/versus/

1.The Sub Divisional Executive Magistrate cum
Revenue Divisional Officer, (Addl.Incharge),
Office of Revenue Division,
Sankari.

2.The Tahsildar,
Edappadi Taluk,
Salem District.

3.The Deputy Superintendent of Police,
Sankari.

4.The Inspector of Police,
Poolampatty Police Station,
Edappadi.

5.The Revenue Inspector,
Edappadi.



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6.The Village Administrative Officer,
Irupalli Village, Edapadi Taluk, Salem District.

7.Shanmugam

8.Manimuthu

9.Mahendran

10.Raja

11.Sankar

.. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the 1st respondent in Na.Ka.No.4580/2023/(C), dated 31.05.2024 and quash the same and consequentially issue direction directing the 4th respondent to provide police protection to perform the festival by the petitioner party by following the 1st respondent order dated 25.05.2023 in Na.Ka.No.1/2023/(C) by considering the petitioner representation dated 24.05.2024.

For Petitioner :Mr.R.Marudhachalamurthy

For R1 to R6 :Mr.K.M.D.Muhilan
Govt.Advocate (Crl.Side)

For R7 to R11 :Mr.C.Prabakaran



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ORDER

Two groups of the same community had a dispute regarding the conduct of religious festival and therefore, the Executive Magistrate/Revenue Divisional Officer has called for Peace Committee Meeting and had suggested that in view of the prevailing conflict between the two groups, one about 60 persons, but all are outsiders of the village, and the other group is about 20 persons, who are localities of the village, to avoid disturbance to the public peace and tranquillity to both the group together agreed for conducting the festival jointly and harmoniously, permission may be granted or else, the temple which is situated in the Government land, may be recommended to take over by the HR and CE Department. The said order is challenged by the Member of the A party.

2. According to the learned counsel appearing for the petitioner submitted that previous year the police permitted both the parties to conduct festival on different dates, but contrary to the earlier procedure, this year the Revenue Divisional Officer passed an order that both the group must join together and conduct the festival or else, permission should not be granted. Stating that the order is contrary to law and



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violation of the right of the petitioner to worship, the present writ petition is filed seeking Writ of Certiorarified Mandamus.

3. The learned counsel appearing for the respondents 7 to 11, who belongs to B party and localities of the village, submitted that they have no problem in conducting the festival along with members of the A party jointly.

4. The learned Government Advocate (Crl.Side) appearing for the respondents 1 to 6 submitted that the procedure adopted previous year could not be allowed to continue, because when in the year 2023, both the groups were permitted to conduct the festival on different dates, there was a dispute among the groups, which was the reason to revisit the earlier procedure and to direct both the parties to settle their dispute and conduct the festival jointly. He further submitted that the reason for disharmonious between the two groups is particularly regarding collection of contribution and dominance over the administration of the temple and festival.



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5. This Court on perusing the order impugned in the writ petition finds that it is a reasoned order justifying why permission for conducting the festival should be given only if both the groups joint together and seek for permission. For the purpose of individual interest, there cannot be multiple festival for the temple contrary to the convention. Therefore, this Court finds no illegality in the order passed by the Revenue Divisional Officer by the proceedings dated 31.05.2024. Hence, this Writ Petition is dismissed. Consequently, connected Miscellaneous Petition is closed. No costs.

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Index:yes/no
Neutral Citation:yes/no
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To:



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- 2.The Tahsildar, Edappadi Taluk, Salem District.
- 3.The Deputy Superintendent of Police, Sankari.
- 4.The Inspector of Police, Poolampatty Police Station, Edappadi.
- 5.The Revenue Inspector, Edappadi.
- 6.The Village Administrative Officer, Irupalli Village, Edapadi Taluk, Salem District.
- 7.The Public Prosecutor, High Court,Madras.

DR.G.JAYACHANDRAN,J.



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