



W.P.No.26723 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.09.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.26723 of 2024

B.Subramaniyan

...Petitioner

Vs.

1. The District Collector,
Kallakurichi District,
Kallakurichi. ..
2. The Superintendent of Police,
Kallakurichi District,
Kallakurichi.
3. The Deputy Superintendent of Police,
Tirukoilur,
Kallakurichi District,
Kallakurichi.
4. The Revenue Divisional Officer,
Collectorate Office,
Kallakurichi.
5. The Tahsildar,
Taluk Office,
Sankarapuram Taluk Office,
Kallakurichi.



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6. The Inspector of Police,
Sangarapuram Police Station,
Sangarapuram Taluk,
Kallakurichi.

7. Vasuki Karunanidhi

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 5 to give protection for conducting Arulmigu Sri Mariyamman Kovil Celebrations from 1st week of September 2024 to 15.09.2024 at Arasampattu Village, Sankarapuram Taluk, Kallakurichi District on the basis of the representation given by the petitioner on 12.07.2024, 30.08.2024.

For Petitioner : Mr.D.Rajagopal

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

Ms. Rajeswari Karthikeyan, for R7



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ORDER

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The Writ Petition is filed seeking Mandamus directing the respondents 1 to 5 to give protection for conducting Arulmigu Sri Mariyamman Kovil Celebrations from first week of September to 15.09.2024 at Arasampattu Village, Sankarapuram Taluk, Kallakurichi District, based on the representation given by the petitioner on 12.07.2024 and 30.08.2024.

2. According to the petitioner, the temple festival which was stopped for two years have prevailed after the Peace Committee Meeting held by the Revenue Authorities and consensus arrived between the two groups to the effect that there will be a Sixteen Member Committee chosen from eight from each group and they will conduct the temple festival on behalf of the Villagers.

3. While so, after making all arrangements for the celebration, the seventh private respondent, who is the president of the Village Panchayat and wife of one Karunathi had given a political colour to the religious function and has printed pamphlets as if the function is conducted by the leaders of particular political party which is in power. Taking advantage



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of the position as Village Panchayat President, contrary to the decision taken by the villagers in the Peace Committee Meeting the present interference to the function is caused by the seventh respondent, who had political power, and therefore Police protection is prayed.

4. The learned counsel appearing for the seventh respondent would submit that Village Panchayat has passed the resolution to bypass the proceedings of the Peace Committee Meeting and villagers have decided to conduct the function involving political leaders of the locality. The learned counsel would further submit that the decision of the Peace Committee Meeting was not given effect due to non-cooperation of the petitioner and Panchayat has passed a resolution on 30.07.2022 to dissolve the Sixteen Member Committee.

5. This Court on giving anxious consideration to the rival submissions and perusing the records find that the two groups in the Village had arrived at the consensus to conduct the temple festival by constituting the Sixteen Member Committee in which eight members from each group will be nominated. While so, by taking advantage of her position as president of the Panchayat, it appears that the seventh



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respondent has passed a resolution in the Panchayat to dissolve the said Committee. It is clear abuse of power and position which is explicit in the manner in which the Panchayat Resolution passed surpassing the decision taken in the Peace Committee Meeting. Therefore, it is appropriate to direct the respondents 1 to 6 to provide Police Protection to the petitioner for smooth conduct of the temple festival which is ongoing.

6. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

11.09.2024

jv

Internet: Yes/No
Index: Yes/No
speaking order/ Non Speaking order
Neutral Citation: Yes/No

Note: Issue order copy on 12.09.2024

To

1. The District Collector,
Kallakurichi District,
Kallakurichi.

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Kallakurichi.
3. The Deputy Superintendent of Police,
Tirukoilur,
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4. The Revenue Divisional Officer,
Collectorate Office,
Kallakurichi.
5. The Tahsildar,
Taluk Office,
Sankarapuram Taluk Office,
Kallakurichi.
6. The Inspector of Police,
Sangarapuram Police Station,
Sangarapuram Taluk,
Kallakurichi.
7. The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G. JAYACHANDRAN, J.

jv

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