



W.P(MD)No.270 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD)No.270 of 2024

L.Adikalaraj

... Petitioner

-Vs-

- 1.The District Collector,
Trichy District Collector Office,
Trichy.
- 2.The Revenue Divisional Officer,
Lalgudi RDO Office,
Trichy.
- 3.The Deputy Superintendent of Police,
Lalgudi Division,
Trichy District.
- 4.The Tahsildhar,
Lalgudi Trichy Office,
Trichy District.
- 5.The Church Comity,
St. Antony Church,
Kallakudi.
- 6.Yakopu Resis,

... Respondents



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PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents 1 to 5 to take appropriate action in order to prevent Dhanarajan and Yokopu Resis from excommunicating the petitioner in St. Antony Church, Kallakudi, allowing the petitioner to perform the religious customary duty in the festival on 09.01.2024 also directing the respondents 1 to 5 to consider the petitioner's representation dated 30.11.2023 to conduct a peace committee meeting in the interest of justice.

For Petitioner : Mr.S.B.Kayvin Prince

For Respondents : Mrs.K.Christy Thebaral
Addl. Govt. Pleader (for R1, R3 & R4)

Ms.M.Aasha
Govt. Advocate (crl.side) (for R3)

ORDER

This writ petition is filed seeking for issuance of a issuance of a Writ of Mandamus directing the respondents 1 to 5 to take appropriate action by preventing the respondents 7 and 8 from excommunicating the petitioner in St. Antony Church, Kallakudi and allowing him to perform the religious customary duty in the festival on 09.01.2024 by considering the petitioner's representation dated 30.11.2023 to conduct a peace committee meeting in the interest of justice.



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2. When the matter is taken up for hearing today, the learned Additional Government Pleader has produced a proceedings of the peace committee meeting in Na.Ka.A1.0020-2024 dated 09.01.2024 issued by the second respondent, wherein it has been stated that in respect of festival for the subject matter church, a peace committee meeting has been conducted and a resolution has been passed and a decision has also been taken in respect of conducting the festival from 09.01.2024 to 18.01.2024. According to them, final decision will be taken at the out come of the suit in O.S.No.404/2021 on the file of the Sub Court, Lalkudi. Tax should be collected from all the families who are residing in the village and the deity will be taken to all the roads including the petitioner's and the private respondents' residential area. Sahayaraj will carry the St.Antony Statue and the same was accepted temporarily. Kovilpillai Isaac will take the flag, however, it was objected by the petitioner's group to take a new idol by the said Issac and hence, permission is not granted in this regard. The above said decisions were accepted by the parties. Further, in the above said peace committee meeting, it has been clearly informed that if anybody creates law and order problem, appropriate action will be taken under the Criminal Law and subsequent celebration will be stopped.



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3. In view of the above, this writ petition is disposed of. It is made clear that both the parties are directed to maintain peace while conducting the festival and there cannot be any first respect to anybody. All the persons to be treated as equally. The present issue cannot be raised while conducting the said festival. No costs.

11.01.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

skn

To

1.The District Collector,
Trichy District Collector Office,
Trichy.

2.The Revenue Divisional Officer,
Lalgudi RDO Office,
Trichy.

3.The Deputy Superintendent of Police,
Lalgudi Division,
Trichy District.

4.The Tahsildhar,
Lalgudi Trichy Office,
Trichy District.



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V.BHAVANI SUBBAROYAN, J.

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