



W.P(MD)No.3991 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.3991 of 2024

and

W.M.P.(MD)No.3876 of 2024

G.Sekar

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Tahsildar,
Aruppukottai Taluk,
Aruppukottai,
Virudhunagar District.

3.The District Superintendent of Police,
Virudhunagar District,
Virudhunagar.

4.The Inspector of Police,
Aaviyur Police Station,
Aaviyur, Virudhunagar District.

5.Irulandi

6.Karuppasamy

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, to direct the respondents no. 1



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to 4 to permit the 6th respondent to open the Temple namely Sri Arulmigu Valagurunathan, Angala Eswari, Petchiamman and 21 Parivara Deities Temple Situated in Survey no. 31 at V.Nangur Village, Kariyapatti Taluk, Virudhunagar District for the celebration of temple festivals namely Masi Sivarathiri festival falls on the 25th day of Tamil month of Masi namely 08.03.2024 and forthcoming temple festivals thereby enabling him to perform Poojas to all the Deities as per the Agama Sastra continuously in the light of his continuous service rendered by him in the capacity of Poojari to the said temple based on the support of 170 families of all the 6 village pangalies namely 1) Pulvaikarai 2) Thatchanenthall 3) Kalvimadai 4) Karisalkulam 5) Karuvakudi and 6) Kidaudi situated at Sivagangai District and representation of the petitioner dated 19.01.2024 submitted to them within a time frame as fixed by this Court.

For Petitioner : Mr.B.Prahalad Ravi

For Respondents : Mr.K.S.Selvaganesan
Additional Government Pleader for R1 & R2

: Mr.A.Albert James
Government Advocate (Crl.side) for R3 & R4

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for R1 & R2 and the learned counsel for R3 & R4.

2. The issue concerns the affairs of the Arulmigu Valagurnathan Vagiayara Temple at V.Nangur Village, Kariyapatti Taluk, Virudhunagar District.



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3. After going through the materials on record, I am more than satisfied that dispute is essentially between the petitioner on one hand and the fifth respondent on the other. Such dispute cannot be resolved in writ jurisdiction. The revenue authorities as well as the police are directed to keep away from the dispute. If any cognizable offence is committed, then law will have to take its own course. It is for the petitioner and the private parties to work out their rights either before the jurisdictional civil Court or before the authorities under HR & CE Act. The choice of course of action is for them to decide. However, to amicably resolve the issue, it is always open to the revenue authorities to convene the peace committee meeting. I have been consistently holding that the decision taken in the peace committee meeting has to be based on consensus and it has not been forced on any party. It is of-course open to the executive magistrate to invoke his power under Cr.P.C to take appropriate action as per law.

4. With the aforesaid direction to the official respondents to keep away from the dispute, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

21.02.2024

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

rmi

To

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
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Aruppukottai,
Virudhunagar District.
- 3.The District Superintendent of Police,
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- 4.The Inspector of Police,
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