



W.P(MD)No.4382 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2024

CORAM :

THE HON'BLE MR.JUSTICE **SATHI KUMAR SUKUMARA KURUP**

W.P(MD)No.4382 of 2024

R.Sakthivel

... Petitioner

Vs.

1. The District Collector,
Virudhunagar District.
2. The Superintendent of Police,
Virudhunagar,
Virudhunagar District.
3. The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.
4. The Tahsildar,
Kariyappati Taluk,
Virudhunagar District.
5. The Inspector of Police,
Kariyapatti,
Virudhunagar District.

... Respondents

***(R5 is suo motu impleaded, vide order, dated 27.02.2024,
in W.P.(MD)No.4382 of 2024)***



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to directing the Respondents 3 and 4 to grant permission to conduct the "Magasivarathri" festival (08.03.2024 - 13.03.2024) at Aaviyur Village, Kariyapatti Taluk, Virudhunagar District.

For Petitioner : M/s.Polax Legal Solutions
For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl. side)

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus, to direct the Respondent police to grant permission for conducting "Magasivarathri" festival (08.03.2024 - 13.03.2024) at Aaviyur Village, Kariyapatti Taluk, Virudhunagar District.

2. The learned Counsel for the Petitioner further submitted that only few villagers are celebrating the "Magasivarathri" festival, who had been celebrating for generation.

3. The learned Government Advocate (Criminal side) on



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instructions from the Respondents 1 to 4 submitted that there are rival claimants in the village. If they are ready to worship and conduct the festival jointly, the Respondents 1 to 4 have no objections to grant permission for conducting the said festival. It is his further submission that due to positivity in the village, the notice could not be taken to the private Respondents. The Court may pass appropriate orders by issuing guidelines to the Tahsildar, Kariyapatti.

4. Considering the submission of the learned Counsel for the Petitioner, the Tahsildar, Kariyapatti is directed to convene the Peace Committee Meeting, if there are rival claimants as stated by the second Respondent. The Tahsildar, Kariyapatti shall on report of the Inspector of Police, Kariyapatti Police Station shall summon the parties and if there are rival claimants for conduct of the festival and on the out come of the Peace Committee Meeting shall pass appropriate orders. If both the parties does not come for amicable settlement, the Tahsildar, Kariapatti shall refuse to grant permission. The Petitioner and the rival claimants are directed to give undertaking before the Tahsildar, Kariyapatti, on or before the intended date on which the festival is to be held by the parties. The Inspector of Police, Kariyapatti, is *suo motu* impleaded as



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Respondent 5 in the present writ petition.

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5. With the above said direction, this Writ Petition is disposed of.

No costs.

27.02.2024

Internet :Yes
Index :Yes/No
NCC :Yes/No

jbr

To

1. The District Collector,
Virudhunagar District.
2. The Superintendent of Police,
Virudhunagar,
Virudhunagar District.
3. The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.
4. The Tahsildar,
Kariyappati Taluk,
Virudhunagar District.
5. The Inspector of Police,
Kariyapatti,
Virudhunagar District.



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6. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

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SATHI KUMAR SUKUMARA KURUP, J.

jbr

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