



W.P(MD)No.5118 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 04.03.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5118 of 2024
and
W.M.P(MD)Nos.4902 & 4903 of 2024

A.Sathiyamoorthy

... Petitioner

Vs.

- 1.The Revenue Tahsildar,
Sathur Taluk,
Virudhunagar District.
- 2.The Superintendent of Police,
Virudhunagar,
Virudhunagar District.
- 3.The Deputy Superintendent of Police,
Sattur Taluk,
Virudhunagar District.
- 4.The Inspector of Police,
Appayanaickenpatti Police Station,
Sattur Taluk, Virudhunagar.
- 5.P.Sriram
*(R.5 is suo motu impleaded vide
order of this Court dated 04.03.2024)*

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the first respondent in his proceedings in Na.Ka.A1/1213/2024 dated 22.02.2024 and to quash the same as illegal and arbitrary and consequently to direct the respondents 2 to 4 to provide adequate police protection to the Sri Gengaiamman Temple, Veppillai Patti Village, Sattur Taluk, Virudhunagar District for conducting Mahasivarathiri Festival scheduled to be conducted between 08.03.2024 to 10.03.2024.

For Petitioner : Mr.R.Chandrasekar

For Respondents : Mr.T.Villavan Kothai
Additional Government Pleader
for R.1 to R.3

Mr.A.Albert James
Government Advocate (Criminal Side)
for R.4

Mr.R.J.Karthick for R.5

ORDER

Heard both sides.

2.The petitioner challenges the impugned notice dated 22.02.2024 calling upon the petitioner to attend the peace committee meeting. Even



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though in the impugned notice it is stated that the peace committee meeting was to be held on 22.02.2024, it is said to have been adjourned to 04.03.2024.

3.I have consistently been holding that a peace committee meeting is not convened under the statutory provision. The petitioner can very well ignore the impugned notice. No consequence will flow out of the petitioner's breach or defiance of the decision taken in a peace committee meeting. Even if any decision is taken in peace committee meeting, it cannot be enforced by the Police or revenue authorities. It is of course open to the revenue authorities to invoke their power under the provisions of Cr.P.C. Likewise if any cognizable offence is committed, the jurisdictional Police will definitely step in.

4.It appears that there is some dispute between the petitioner on the one hand and the fifth respondent on the other. According to the petitioner, the temple belongs to community. If that be so, it is a public temple. Once a temple is accepted as a public temple, members of general public can definitely offer their worship. Right to worship



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cannot be prevented. If the impleaded respondent has any issue regarding the conduct of the festival or administration of the temple, his remedy is elsewhere.

5. With these observations and clarifications, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

04.03.2024

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

To

1. The Revenue Tahsildar,
Sathur Taluk,
Virudhunagar District.
2. The Superintendent of Police,
Virudhunagar,
Virudhunagar District.
3. The Deputy Superintendent of Police,
Sattur Taluk,
Virudhunagar District.



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G.R.SWAMINATHAN, J.

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