



W.P.(MD) No.5728 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.(MD) No.5728 of 2024

Nagaraj

... Petitioner

Vs.

- 1.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 2.The Tahsildar cum Executive Magistrate,
Sivagangai Taluk,
Sivagangai.
- 3.The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.
- 4.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.

... Respondents

(R2 is *suo motu* impleaded vide this order
dated 07.03.2024)

Prayer: Writ Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Mandamus, directing the Respondents to grant permission to the petitioner and give adequate police protection for conducting Valli Thirumanam Nadagam on 08.03.2024 in the Sri



W.P.(MD) No.5728 of 2024

Mahalinga Moorthy Sri Irulayee Amman Temple, Enapuram Village,
Oothandan Post, Sivagangai Taluk, Sivagangai District.

For Petitioner : Mr.M.Sundarapandian

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl. Side)

ORDER

The learned Counsel for the Petitioner submits that the Petitioner filed this Writ Petition seeking permission to conduct “Valli Thirumanam Nadagam” on 08.03.2024 with regard to the temple festival of Sri Mahalinga Moorthy Sri Irulayee Amman Temple, Enapuram Village, Oothandan Post, Sivagangai Taluk, Sivagangai District.

2. The learned Government Advocate (Crl. Side), on instructions of the Respondents’ submits that villagers have objected to the petitioner proceeding with the conduct of the programme and therefore, they are unable to give permission.

3. Considering the fact that there are rival groups regarding the conduct of Temple Festival, the Tahsildar, Sivagangai Taluk is *suo motu* impleaded as Respondent 2. The Respondents 2 and 3 in this Writ



W.P.(MD) No.5728 of 2024

Petition are re-arranged as Respondents 3 and 4. The Respondent 2

Tahsildar, Sivagangai District as an Executive Magistrate shall convene a peace committee meeting after issuing summons to the rival parties as well as to the Petitioner and in the peace committee meeting, if there is any amicable settlement between the parties, he may grant permission with the conditions stipulated in the Director General of Police's Circular. As an Executive Magistrate, the Tahsildar has power either to grant permission if settlement arrived between the rival parties or deny the permission, based on the absence of amicable settlement.

4. Accordingly, this Writ Petition is disposed of. No cost.

07.03.2024

Index: Yes/ No

Neutral Citation: Yes / No

Speaking Order / Non-Speaking Order

JEN

Issue Order copy on 07.03.2024.

To :

1.The Superintendent of Police,
Sivagangai District,
Sivagangai.



W.P.(MD) No.5728 of 2024

2.The Tahsildar cum Executive Magistrate,
Sivagangai Taluk,
Sivagangai.

3.The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.

4.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.

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



WEB COPY



W.P.(MD) No.5728 of 2024

SATHI KUMAR SUKUMARA KURUP, J.

JEN

W.P.(MD) No.5728 of 2024

07.03.2024