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W.P.(MD)NO.10129 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.10129 of 2024 AND

W.M.P.(MD)No.9145 of 2024

K.Periasamy

... Petitioner

Vs.

1. The District Collector,
Dindigul District.

2. The Tahsildar,
Kodaikanal Taluk, Dindigul District.

3. The Revenue Divisional Officer,
Kodaikanal, Dindigul District.

4. The Inspector of Police,
Kodaikanal police station,
Dindigul District.

5. V.Gopalakrishnan

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents 1 to 3 from preventing the villagers of Perumpallam to conduct the Chithirai festival for the temples 1) Sri Vinayagar 2) Sri Velavar 3) Sri Kariyamal 4) Sri Karupichinathan 5) Sri Karuppanasamy 6) Sri Kaaliyamman 7) Sri Pekkatukaruppu 8) Sri Vettaikaran 9) Sri Perumalsamy 10) Sri Thalaivasalkaruppu 11) Sri Ramar situated at Perumpallam Village, Vadakavunji, Kodaikanal Taluk.



For Petitioner : Mr.G.Prabhu Rajadurai
Mr.S.Selva Aditya

For R-1 to R-3 : Mr.P.Thambi Durai

For R-4 : Mr.A.Albert James,
Government Advocate.

For R-5 : Mr.N.Mohan

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ORDER

Heard the learned counsel on either side.

2. There appears to be a dispute between the petitioner on the one hand and the fifth respondent on the other with regard to conduct of the petition mentioned event. The learned counsel appearing for the fifth respondent states that all along the temple festival will be held only during Tamil month of Avani. His grievance is that the petitioner had unilaterally made it into Chithirai festival.

3. In this *inter se* dispute, the writ Court cannot interfere. This Court will not pass any restraint order against the fifth respondent. Unless the issue poses threat to law and order, the official respondents will keep away. If any cognizable offence is committed, the fourth



respondent is bound to register an FIR and interfere in the matter.

Likewise this Court cannot prevent the executing Magistrate from exercising its statutory power conferred under CrPC. So long as such situation does not arise, respondents 1 to 4 will not have any role in the matter.

4. With this observation, this writ petition stands disposed of.

No costs. Consequently, connected MP. is closed.

26.04.2024

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

To:

1. The District Collector,
Dindigul District.
2. The Tahsildar,
Kodaikanal Taluk, Dindigul District.
3. The Revenue Divisional Officer,
Kodaikanal, Dindigul District.
4. The Inspector of Police,
Kodaikanal police station,
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G.R.SWAMINATHAN,J.

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