



W.P.(MD)No.10020 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.10020 of 2024

and

W.M.P.(MD)No.9056 of 2024

K.Pandi

... Petitioner

Vs.

1.The District Collector,
Sivagangai District.

2.The Tahsildar,
Tahsildar Office,
Sivagangai Taluk,
Sivagangai District.

3.R.Dhanalakshmi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 2nd respondent in Peace Committee Meeting dated 15.04.2024 and quash the same as illegal and consequently direct the 2nd respondent to allow the petitioner and their community people and also allow the devotees to take possession of Karagem (Sacred Water Pot) from Arulmigu Muthumariamman temple to Meyyan Metchi Pond through Survey No.164/9B2 consisting of 70 cents of land at Kottapatti



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Village, Sivagangai Taluk and District for 30 minutes on 24.04.2024 within a stipulated period of time fixed by this Court.

For Petitioner : Mr.K.Gokul

For Respondents : Mr.G.V.Vairam Santhosh,
Addl. Government Pleader for R1 & R2.
Mr.Jayaram Siddharth for R3.

ORDER

Heard both sides.

2.The petitioner challenges the peace committee proceedings. I have been consistently holding that such peace committee meetings are bereft of any legal value. A person breaching the same will not invite any penal consequences.

3.The learned counsel for the third respondent submits that the third respondent does not want to permit the villagers to pass through her patta land. The learned counsel for the petitioner states that for the last several decades, the villagers have been taking the holy water from the temple to the bond. Whether an easementary right had fructified in favour of the petitioner or not, it is not for the Writ Court to decide.



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4. Granting liberty to the petitioner to workout his rights in the manner known to law, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

22.04.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

1. The District Collector,
Sivagangai District.
2. The Tahsildar,
Tahsildar Office,
Sivagangai Taluk,
Sivagangai District.



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G.R.SWAMINATHAN, J.

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