



W.P.(MD) No.10087 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2024

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.10087 of 2024

Vishwadass

... Petitioner

Vs.

1.The District Collector,
District Collector Office,
Sivagangai District.

2.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

3.The Tahsildar,
Karaikudi Taluk,
Sivagangai District.

4.The Superintendent of Police,
Office of the Superintendent,
Sivagangai District.

5.The Inspector of Police,
Somanathapuram Police Station,
Sivagangai District.

6.Ulagaththal

... Respondents



W.P.(MD) No.10087 of 2024

Prayer: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the first to fifth respondents to permit the petitioner to conduct the Arulmigu Sri Sadaiyandi, Arulmigu Sri Soolapidari and Arulmigu Sri Segudapidari temple festival on 30.04.2024 and 01.05.2024 situated at Periyar Nagar, Anna Nagar, Amaravathi Pudur, Karaikudi Taluk, Sivagangai District based on the petitioner's representation dated 06.04.2024.

For Petitioner : Mr.K.M.Karunakaran
For R1 to R3 : Mr.S.P.Maharajan
Special Government Pleader
For R4 & R5 : Mr.S.Manikandan
Government Advocate (Crl. Side)
For R6 : Mr.S.Selva Aditya

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus directing the first to fifth respondents to permit the petitioner to conduct the temple festival on 30.04.2024 and 01.05.2024 in Arulmigu Sri Sadaiyandi, Arulmigu Sri Soolapidari and Arulmigu Sri Segudapidari situated at Periyar Nagar, Anna Nagar, Amaravathi Pudur, Karaikudi Taluk, Sivagangai District, based on the petitioner's representation dated 06.04.2024.



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WEB COPY 2. The facts that emerged from the submissions of the learned counsel for the petitioner are that there are disputes between the petitioner and the sixth respondent with regard to the rights over the aforesaid temples and that the sixth respondent has filed O.S.No.101 of 2021 before the District Munsif Court, Karaikudi claiming exclusive rights over the aforesaid temples. The said suit is said to have been renumbered as O.S.No.473 of 2022.

3. The learned Special Government Pleader for the first to third respondents would submit that for the last three years, the temple festival has not been conducted despite attempts of the officials to broker peace between the petitioner's group and the sixth respondent's group. It is submitted that the peace committee meeting is going to be held before the third respondent today (29.04.2024) in the evening.

4. By way of rejoinder, the learned counsel for the petitioner would submit that the temple festival was conducted during the preceding years as well despite being difference of opinion between the petitioner and the sixth respondent.



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5. The learned Government Advocate (Criminal Side) for the fourth and fifth respondents would submit that criminal complaint has been filed by one Senthil Kumar against the petitioner in C.S.R.No.82/2021 before the Somanathapuram Police Station. Similar complaints were also registered in Crime Nos.85/2021 & 86/2021 and C.S.R.Nos.03/2024, 04/2024, 61/2024 & 73/2024.

6. Considering the above, there cannot be a positive direction as prayed for in this Writ Petition. However, since the temple festival is scheduled to be held on 30.04.2024 (tomorrow) and on 01.05.2024 (day after tomorrow), there shall be a direction to the third respondent to consider the petitioner's request in the peace committee meeting and take suitable decision as to whether the temple festival can be conducted.

7. In case the temple festival is conducted on these days, the fourth and fifth respondents are directed to ensure that there is an adequate number of enforcement near the vicinity of the temple and there is no undue incidents.



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WEB COPY 8. Accordingly, this Writ Petition stands disposed of. No costs.

29.04.2024

Index: Yes/ No
Neutral Citation: Yes / No
Speaking Order / Non-Speaking Order
JEN

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C.SARAVANAN, J.

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