



1

W.P.(MD)NO.10146 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.10146 of 2024 AND

W.M.P.(MD)No.9162 of 2024

Arulmigu Sri Muppanthal Esakki Amman Seva Trust,
Mannarpuram Junction,
Sanakanankulam,
Rep. by its Secretary
S.Poolpandian.

... Petitioner

Vs.

1. The Tahsildar,
Thisaiyanvilai Taluk,
Thisaiyanvilai, Tirunelveli District.

2. The Inspector of Police,
Thisaiyanvilai police station,
Tirunelveli District.

3. S.Arunachalamoorthy

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to impugned proceedings of the 1st respondent dated 17.02.2024 and quash the same as illegal and consequently direct the 1st respondent to grant permission to conduct and celebrate Sanganakulam Naduveedu Arulmigu Sri Muppanthal Esakki Amman Thirukkivil Kodaivizha on 29.04.2024 and 30.04.2024 by considering petitioner's representation dated 05.04.2024 or on any other date as this Court thinks deem fit in the interest of justice.



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For Petitioner : Mr.N.Mohideen Basha
For R-1 : Mr.G.Vairam Santhosh,
Additional Government Pleader.
For R-2 : Mr.A.Albert James, \ Government Advocate.
For R-3 : Mr.S.Palani Velayutham

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ORDER

Heard the learned counsel on either side.

2. There is a dispute between the petitioner on the one hand and the third respondent on the other. Both the parties belong to the same family. The peace committee meeting was organised by the Tahsildar, Thisayanvilai on 17.02.2024. Since consensus could not be arrived at, key was handed over to one Kambar. This proceeding is put to challenge in this writ petition.

3. I have consistently held that such peace committee meeting decisions are not amenable to challenge. This is because they have no statutory value or force. They are not passed under any statutory provision. A person breaching or violating such decisions will not invite



any adverse consequence. In this inter se dispute, the writ Court cannot interfere. This Court will not pass any restraint order against the third respondent. Unless the issue poses threat to law and order, the official respondents will keep away. If any cognizable offence is committed, the second 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 and 2 will not have any role in the matter.

3. With this observation, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

26.04.2024

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

To:

1. The Tahsildar,
Thisaiyanvilai Taluk,
Thisaiyanvilai, Tirunelveli District.
2. The Inspector of Police,
Thisaiyanvilai police station,
Tirunelveli District.



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4

W.P.(MD)NO.10146 OF 2024

G.R.SWAMINATHAN,J.

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