



W.P.(MD).No.11146 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 24.05.2024

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THE HON'BLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.11146 of 2024

and

W.M.P(MD)No.9923 of 2024

M.Veerappan

... Petitioner

Vs

1.The Tahsildar,
Thirumayam Taluk,
Pudukottai District.

2.The State represented by
Inspector of Police,
K.Pudhupatti Police Station,
Pudhukottai District.

3.Muthiah

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to permit the petitioner to participate in the temple festival of the Sri Mariyamman Kovil situated at Valaramanickam, Thirumayam Taluk, Pudhukottai District and consequentially to forbear the respondent No.2 from preventing the petitioner from taking Samy Karagam and to crack the crackers on himself and behalf of others without causing any disturbances to anybody.

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For Petitioner : Mr.M.Mohamed Zamil
for M/s.Ajmal Associates

For R1 & R2 : Mr.S.Manikandan
Government Advocate(Crl.Side)

For R3 : Mr.K.Balasundharam
Senior Counsel
for M/s.KBS Law Associates

ORDER

This Writ Petition is filed for a Mandamus directing the respondents to permit the petitioner to participate in the temple festival and consequentially forbearing the 2nd respondent from preventing the petitioner from taking Samy Karagam and to crack the crackers by himself and on behalf of others without causing any disturbances to anybody.

2. According to the 3rd respondent, who is the present Trustee of the temple, the petitioner was already allowed to worship the deity on the date of festival and the petitioner was inside the temple for more than one hour. Further, the learned Counsel appearing for the 3rd respondent submitted that they did not prevent the petitioner from worshipping the deity.



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3. As far as Swamy Karagam and bursting crackers are concerned, the entire village is carrying out the same and the petitioner alone wants to do it individually which is not permitted. Moreover, the petitioner has preferred a petition in O.A.No.10 of 2022 before the Hindu Religious and Charitable Endowment authority and the same is pending for more than 2 years. The petitioner is permitted to establish his right before the appellate authority and the petitioner is directed to comply with the order of the appellate authority. The said right cannot be established before this Court under Article 226 of Constitution of India. Hence, the same is not considered by this Court. As far as the worship is concerned, the same is permitted to the petitioner.

4. With the above said direction, this Writ Petition stands closed. No costs. Consequently, connected Miscellaneous Petition is closed.

24.05.2024

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

- 1.The Tahsildar,
Thirumayam Taluk,
Pudukottai District.
- 2.The Inspector of Police,
K.Pudhupatti Police Station,
Pudhukottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY, J.

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ORDER IN
W.P.(MD).No.11146 of 2024

24.05.2024