



W.P(MD)No.16009 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.16009 of 2024

and

W.M.P.(MD)No.13917 of 2024

S.Ramasamy

... Petitioner

Vs

**1. The District Collector,
Tenkasi District,
Tenkasi.**

**2. The Revenue Divisional Officer,
Tenkasi.**

**3. The Tahsildar,
Pavoorchatram,
Tenkasi District.**

**4. The Inspector of Police,
Pavoorchatram Police Station,
Pavoorchatram,
Tenkasi District.**

5. Mariappan

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the peace committee proceedings/impugned order in Na.Ka. No.25-2022-A4 dated 28.06.2024 on the file of the second respondent, quash the same and direct the respondents 1 to 4 to grant permission and to provide police protection for the conduct of the Aadi Kodai Vizha Festival on 18.07.2024 and 19.07.2024 in Arulmighu Sakthi Pothi Madasamy Temple in Chinnathambi Nadarpatti Village, Pavoorchatram Taluk, Tenkasi District.

For Petitioner : Mr.N.Shyllappakalyan,

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

This Writ Petition has been filed seeking as against the resolution order, dated 28.06.2024, passed in the peace committee meeting. The petitioner has also sought permission and police protection for conducting the Aadi Kodai Vizha Festival on 18.07.2024 and 19.07.2024 in Arulmighu Sakthi Pothi Madasamy Temple at Chinnathambi Nadarpatti Village, Pavoorchatram Taluk, Tenkasi District.



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2.This Court, in several decisions has held that the Tahsildar is not having power to conduct a peace committee meeting and he/she could not issue any directions in the guise of a peace committee meeting. These peace committee meetings have been conducted without any reference as to the provision under which they are conducted.

3.It appears that the police officers are simply referring the matter to the Tahsildar concerned, as if they are facing law and order problem instead of handling it. The Police Department has been established to maintain and ensure the law and order. In the event if the police officers are not in a position to maintain the law and order in that particular area, the Superintendent of Police concerned shall look into the issue and transfer the concerned officer and depute some other officer, who is capable of handling law and order problem.

4.Since the Tahsildar is not having any authority to conduct a peace committee meeting, the impugned order is set aside on this ground itself. Accordingly, this writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.



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5.The Superintendent of Police, Tenkasi District, is directed to look into this issue and depute suitable officer, who can handle law and order problem.

16.07.2024

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

LR

To

1. The District Collector,
Tenkasi District,
Tenkasi.

2. The Revenue Divisional Officer,
Tenkasi.

3. The Tahsildar,
Pavoorchatram,
Tenkasi District.

4. The Inspector of Police,
Pavoorchatram Police Station,
Pavoorchatram,
Tenkasi District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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Copy to

The Superintendent of Police,
Tenkasi District.



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B.PUGALENDHI, J.

LR

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