



W.P(MD)No.16247 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16247 of 2024

K.Vanumamalai

... Petitioner

Vs.

1.The District Collector,
Thoothukudi,
Thoothukudi District.

2.The Tahsildar,
Taluk Office,
Srivaikundam Taluk,
Thoothukudi District.

3.C.Krishnan

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 30.05.2024 and subsequent representation dated 16.07.2024 and to grant permission to celebrate Kodai festival for Melakovil Temple which is situated in Srivaikundam Taluk, Thoothukudi District from 22.07.2024 to 24.07.2024.



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For Petitioner : Mr.Handri Tiphagne
Senior Counsel
for Mr.R.Karunanidhi

For Respondents : Mr.D.Sasi Kumar
Additional Government Pleader
for R.1 & R.2

Mr.Aayiram K.Selvakumar for R.3

ORDER

Heard both sides.

2.The petitioner states that he is Dharmakarthha of the petition mentioned temple and that he may be allowed to organise the petition mentioned temple festival.

3.The learned counsel appearing for the petitioner draws my attention to the earlier orders passed by this Court. (W.P(MD)Nos.10407 & 11376 of 2013 dated 18.07.2013 and W.P(MD)No.12778 of 2017 dated 11.07.2017 and W.P(MD)No.13386 of 2018 dated 29.06.2018).

4.At this stage before I could consider the petitioner's counsel's contention, the learned counsel appearing for the third respondent



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submits that the temple festival has already commenced and that the petitioner had already filed W.P(MD)No.15276 of 2024. It was closed by recording the stand of the authorities that permission was already granted in favour of the third respondent.

5.The learned Additional Government Pleader appearing for the respondents 1 and 2 also states that according to them it is the third respondent who is the present Dharmakarthha and that the petitioner was a former Dharmakarthha and that permission was already granted in favour of the third respondent by the jurisdictional Police to conduct festival. The officials would further state that there is no permanent trustee for the petition mentioned temple.

6.I am not in a position to go into the merits of the matter because the temple festival has already commenced. The authorities are also endorsing the stand taken by the third respondent. At this stage, the writ Court is not in a position to adjudicate the intestate dispute between the petitioner on the one hand and third respondent on the other.

7.This writ petition is closed accordingly. Merely because I have closed the writ petition, it cannot come in the way of the petitioner from



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participating in the petition mentioned festival like any other devotee.

There shall be no order as to costs.

19.07.2024

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

To

1.The District Collector,
Thoothukudi,
Thoothukudi District.

2.The Tahsildar,
Taluk Office,
Srivaikundam Taluk,
Thoothukudi District.



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G.R.SWAMINATHAN,J.

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