



W.P(MD).No.19160 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 08.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD).No.19160 of 2024

B.Saravanakumar

... Petitioner

Vs.,

1.The District Collector,
Madurai District, Madurai.

2.The Tahsildar,
Madurai South Taluk,
Madurai District.

3.Sankar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the second respondent to permit and conduct the Sri Natchiyamman Temple Festival held on 06.08.2024, 13.08.2024 and 14.08.2024 which is situated at Nallur Village, Madurai South Taluk, Madurai District by considering the petitioner's representation dated 29.07.2024.

For Petitioners : Mr.A.Vadivel
For Respondent : Mr.A.Kannan (for R1 & R2)
Additional Government Pleader

ORDER

The writ petition has been filed for issuance of writ of Mandamus directing the second respondent to permit and conduct the Sri Natchiyamman



W.P(MD).No.19160 of 2024

Temple Festival held on 06.08.2024, 13.08.2024 and 14.08.2024, which is situated at Nallur Village, Madurai South Taluk, Madurai District, by considering the petitioner's representation dated 29.07.2024.

2. Mr.A.Kannan, learned Additional Government Pleader, takes notice on behalf of the respondents 1 and 2.

3. By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

4. The case of the petitioner is that the petitioner has right to perform the particular ceremony in the temple for Nachiyamman deity. The carrying sprout is regularly done in the village. The said principle is continuously done by the petitioner's family. For this year, the said festival is scheduled to be held on 06.08.2024, 13.08.2024 and 14.08.2024. However, the third respondent also claimed such right. Hence, the petitioner seeks a direction of this Court.

5.The learned Additional Government Pleader, on instructions, would submit that, in this regard, as there was a dispute between the parties, a Peace Committee Meeting was conducted on 02.08.2024, wherein at request of the



W.P(MD).No.19160 of 2024

participants, lot was conducted as to who has to conduct such festival and on the basis of the lot, the third respondent's name has been elected. Therefore, the petition is not maintainable.

6.As the peace committee meeting has already been held and a decision has also been taken with regard to the conduct of the festival, it is for the authorities to take a decision to prevent law and order problem, which is the main issue in such festivals.

7.Hence, this Court is not inclined to direct the authorities to consider the claim made by the petitioner. Accordingly, this Writ Petition is dismissed. It is needless to add here that it is for the parties to file necessary suit for the purpose of establishing their customary right before the competent civil Court. No costs.

08.08.2024

NCC : Yes/No
Index : Yes/No

Rmk



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W.P(MD).No.19160 of 2024

N.SATHISH KUMAR, J.

Rmk

To

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Madurai District, Madurai.
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W.P(MD).No.19160 of 2024

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