



W.P.(MD) No.10490 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.04.2024

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.10490 of 2018

Grinivasaprasath

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District.

2.The Revenue Divisional Officer,
Padmanabhapuram,
Kanyakumari District.

3.The Inspector of Police,
Eranial Police Station,
Kanyakumari District.

4.Srikrishnan

5.Sanjai

6.Gopalan

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus, directing the respondents 2 and 3 herein to receive the temple key of Arulmigu Senbahamudi Rajamannar Swamy Temple, Villukuri Ambalathadiviali, Kanyakumari District, from the respondents 4 to 6 and hand over the same to the petitioner as per the



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Peace Committee Agreement entered in the presence of the second respondent by considering the representation, dated 13.04.2018.

For Petitioner : Mr.S.Ramasamy
For R1 and R2 : Mr.S.P.Maharajan
Special Government Pleader
For R3 : Mr.S.Manikandan
Government Advocate (Criminal side)
For R4 to R6 :Mr.Niranjan S.Kumar

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents 2 and 3 herein to receive the Temple key of Arulmigu Senbahamudi Rajamannar Swamy Temple, Villukuri Ambalathadiviali, Kanyakumari District, from the respondents 4 to 6 and hand over the same to the petitioner as per the Peace Committee Agreement entered in the presence of the second respondent, by considering the representation, dated 13.04.2018.

2. The learned Special Government Pleader for the respondents 1 and 2 submitted that the Writ Petition is not maintainable in the light of the decision of the Division Bench of this Court in **S.Tamilselvan vs. Government of Tamil Nadu and others**, 2016 (4) CTC 561, wherein it



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has been clarified that Peace Committee has no authority to decide *inter se* disputes between the parties and parties should work out their remedy.

3. The learned counsel for the respondents 4 to 6 seeks time to file counter affidavit.

4. It is noticed that the Writ Petition is of the year 2018. There is no point in keeping this Writ Petition on the files of this Court this long without counter affidavit. At the same time, the prayer sought for by the petitioner also cannot be granted, merely because, the respondents have not filed counter affidavit, as the relief sought for in this Writ Petition is based on the so called agreement arrived at between the parties during the peace committee meeting held on 05.12.2016, as such, decisions/agreements arrived in a peace committee meeting are not binding either of the parties in terms of the decision of the Division Bench of this Court in **S.Tamilselvan's case** [cited supra]. Therefore, this Writ Petition is liable to be dismissed and accordingly, is dismissed. No costs.



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However, liberty is given to the petitioner to work out his remedy before the competent Civil Court in accordance with law.

Index : Yes/ No
Neutral Citation: Yes / No
Speaking Order / Non-Speaking Order
smn2

03.04.2024

To

- 1.The District Collector,
Kanyakumari District.
- 2.The Revenue Divisional Officer,
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Kanyakumari District.
- 3.The Inspector of Police,
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C.SARAVANAN, J.

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