



W.A.(MD).No.1151 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 20.02.2024

CORAM:

THE HON'BLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

AND

THE HON'BLE Mr.JUSTICE K.K.RAMAKRISHNAN

W.A.(MD).No.1151 of 2016

Rajalingam

...Appellant

Vs.

1.Thangaraj

2.The District Collector,

3.The Superintendent of Police,
Office of the Superintendent of Police,
Trichy District.

4.The Tahsildar,
Manapparai Taluk,
Manapparai,
Trichy District.

5.The Inspector of Police,
Vaiyampatti Police Station,
Vaiyampatti,
Trichy District.

... Respondents

Prayer : Writ Appeal filed under Clauses 15 of Letters Patent, praying to set aside the order dated 29.06.2016 made in W.P.No.11138 of 2016 passed by this Court.



W.A.(MD).No.1151 of 2016

For Appellant : Mr.AN.Ramanathan

For Respondents : Mr.A.Joel Paul Antony for R1

: Mr.M.Prakash
Additional Government Pleader
for R2 to R5

JUDGMENT

[Judgment of the Court was delivered by **V.BHAVANI SUBBAROYAN, J.**]

The appellant/writ petitioner has filed this writ appeal to set aside the order dated 29.06.2016 made in W.P.No.11138 of 2016 passed by this Court.

2. The learned Single Judge of this Court has passed the following order:

2.Heard the learned counsel appearing for the petitioner, learned counsel for the impleaded 5th respondent and the learned Additional Government Pleader appearing for the respondents 1 to 4.

3.It is seen that there is a resolution in the Peace Committee Meeting, in which the petitioner and the 5th



respondent participated and agreed to abide by the decision taken thereon with regard to erection of stature (Stone Idol of Arulmigu Sri Kaliyamman) in the Temple.

4. Under Such circumstances, this writ petition is disposed of with a direction to the parties to adhere to the terms and conditions of the resolution in the Peace Committee Meeting. However, it is made clear that erection of statue will not confer any right, title or interest in the statue or in the Temple to any of them. Any right, whatsoever claimed by the parties will be decided only by the competent Civil Court. The process of erection shall commence after the festival is over, ie. On or after 03.07.2016. No costs.

3. According to the learned Single Judge, the writ petition was disposed of directing the parties to adhere to the conditions passed by the Peace Committee Meeting. In the Peace Committee Meeting, the erection of statue will not confer any right, title or interest in the statue or in the Temple to any of them. Any right, whatsoever claimed by the parties will be decided only by the competent Civil Court. Challenging the same, the appellant has filed this writ appeal before this Court.



W.A.(MD).No.1151 of 2016

WEB COPY

4. The learned Additional Government Pleader would submit that there was a dispute between the two sets of people regarding worshipping in the temple. There was already a clay statue and now, they wanted to make a statue made up of stone. But, the same was not accepted by the entire community people and therefore, a dispute arose and accordingly they all came to the decision that they will follow the custom, which was prevailing at the earlier point of time. For the past four years, the same has been followed and there was no such dispute pending. Now, the writ petitioner is no more.

5. Accordingly, this writ appeal stands disposed of. There shall no order as to costs.

[V.B.S.J] [K.K.R.K.J.]
20.02.2024

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

sbm



W.A.(MD).No.1151 of 2016

To

WEB COPY

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Trichy District.
- 2.The Tahsildar,
Manapparai Taluk,
Manapparai,
Trichy District.
- 3.The Inspector of Police,
Vaiyampatti Police Station,
Vaiyampatti,
Trichy District.



WEB COPY



W.A.(MD).No.1151 of 2016

**V.BHAVANI SUBBAROYAN, J.
AND
K.K.RAMAKRISHNAN, J.**

sbn

W.A(MD).No.1151 of 2016

20.02.2024