



W.P(MD).No.21203 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD).No.21203 of 2024

Mahalingam

... Petitioner

Vs.,

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Sivagangai Taluk,
Sivagangai District.

3.The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai.

4.K.Kaleeswaran

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents 1 to 3 to permit the petitioner to participate in the temple festival of Pookalaimman Kovil Kuthiraieduppu Vila and Ayyanar Temple Mullaiparai Thiruvilaz festival is schedule on 10.09.2024 and 11.09.2024 situated at Pillur Village, Sivagangai District and consider the petitioner's representation dated 23.08.2024 and 02.09.2024.



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For Petitioner : Mr.A.Vadivel
For Respondents : Mr.D.Gandhiraj (for R1 & R2)
Special Government Pleader
Mr.M.Vaikkam Karunanidhi (for R3)
Government Advocate (crl.side)

ORDER

The petitioner seeks direction to the official respondent to permit him to participate in the temple festival of 'Pookalaimman Kovil' Kuthiraieduppu Vila and 'Ayyanar Temple' Mullaiparai Thiruvilaz, which is scheduled to be held on 10.09.2024 and 11.09.2024, situated at Pillur Village, Sivagangai District, by considering his representation dated 23.08.2024 and 02.09.2024.

2. Heard Mr.A.Vadivel, learned counsel appearing for the petitioner, Mr.D.Gandhiraj, learned Special Government Pleader, who takes notice for the respondents 1 and 2 and Mr.M.Vaikkam Karunanidhi, learned Government Advocate (crl.side), who takes notice for the third respondent.

3. The learned Government Advocate (crl.side), on instructions, would submit that the petitioner seeks first honour in the temple. If the petitioner only participates in the temple festival, then he will be permitted. However, it is made clear that the petitioner cannot insist for the first honour.



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4. The learned counsel for the petitioner would submit that he will not claim first honour in the temple, unless his right has been declared in the civil suit in O.S.No.68 of 2024.

5. In such view of the matter, the petitioner is permitted to worship the petition mentioned temple festival, at the same time, it is made clear that the petitioner cannot seek first honour in the temple, unless his right of first honour has been established in the manner known to law.

6. With the above direction, the Writ Petition is disposed of. No costs.

05.09.2024

NCC : Yes/No

Index : Yes/No

Rmk

To

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Sivagangai Taluk,
Sivagangai District.

3.The Inspector of Police,
Sivagangai Taluk Police Station, Sivagangai.

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Rmk

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