



W.P(MD)No.22383 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.22383 of 2024

1.R.Balavinayagam

2.Veerapathiran

...Petitioners

Vs.

1.The Superintendent of Police,
Pudukkottai District,
Pudukkottai.

2.The Deputy Superintendent of Police,
Aranthangi Range,
Pudukkottai District.

3.The Assistant Commissioner,
HR&CE,
Pudukkottai.

4.The Inspector,
Hindu Religious and Charitable Endowment
Department,
Pudukkottai District.

5.The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.



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6.Paramasivam

... Respondents

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a a Writ of Mandamus, directing the respondents 1 to 5 to provide permission and adequate protection to perform the festival of Purai Eduppu and Goat sacrifice to the Arulmigu Muthupidari Amman, Mannamudaiya Ayyanar and Sri Muthumariyamman Temple, Sri Pulikutti Ayyanar Temple, Karudaiya Ayyanar Temple situated at Kammangadu Mahanam, Aranthangi Taluk, Pudukkottai District, fixed by this Court from any Tuesday to Tuesday during this year, in the light of the second respondent proceedings in Na.Ka.No.295/Kaa.Thu.Ka/Camp/Aranthai/2024 dated 02.09.2024.

For Petitioner : Mr.K.Baala Sundaram, Senior Counsel
for M/s.KBS Law Office

For R1, R2 & R5 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

For R3 & R4 : Mr.M.Muthumanikkam
Government Advocate (Civil Side)

ORDER

The Writ Petition has been filed seeking orders to direct the respondents 1 to 5 to provide permission and adequate protection to perform the festival of Purai Eduppu and Goat sacrifice to Arulmigu Muthupidari Amman, Mannamudaiya Ayyanar and Sri



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Muthumariyamman Temple, Sri Pulikutti Ayyanar Temple, Karudaiya Ayyanar Temple situated at Kammangadu Mahanam, Aranthangi Taluk, Pudukkottai District, fixed by this Court from any Tuesday to Tuesday during this year, in the light of the second respondent proceedings dated 02.09.2024.

2. Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor takes notice for the respondents 1, 2 and 5 and Mr.M.Muthumanikkam, learned Government Advocate (Civil Side) takes notice for the respondents 3 and 4. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. It is not in dispute that the writ petitioners and one K.R.Ramaiah have earlier filed a writ petition before this Court in W.P.(MD)No.20276 of 2024 seeking a writ of mandamus directing the police officials to provide permission and adequate protection to perform the festival of Purai Eduppu and Goat sacrifice to the Arulmigu Muthupidari Amman, Mannamudaiya Ayyanar and Sri Muthumariyamman Temple, Sri Pulikutti Ayyanar Temple, Karudaiya Ayyanar Temple situated at Kammangadu Mahanam, Aranthangi Taluk, Pudukkottai District



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scheduled on 27.08.2024 to 03.09.2024 and this Court, after considering the submission made by the learned Senior Counsel for the writ petitioners, the learned Additional Public Prosecutor for the police officials and the learned Government Advocate (Civil Side) for the HR&CE Department, directed the Deputy Superintendent of Police to give notice to all the six groups and take a decision within a period of three days from that day.

4. The learned Senior Counsel appearing for the writ petitioners would submit that in pursuance of the direction of this Court, the second respondent herein has conducted enquiry and all the groups except the group led by the sixth respondent herein had agreed for smooth functioning of the festival and that since the sixth respondent's group has not agreed for the same, the second respondent has given a report seeking further direction from this Court and has also produced the report of the second respondent dated 02.09.2024.

5. As rightly contended by the learned Additional Public Prosecutor, the second respondent in his report has specifically observed



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that though enquiry was scheduled on 31.08.2024, on that day the sixth respondent has not turned up but some other persons appeared representing that the sixth respondent was not well and sought adjournment and on that basis, enquiry was adjourned to 02.09.2024 and on that day, all the six groups had appeared for enquiry and in that enquiry, 1 to 5 karaikarar have consented for conducting the festival but the sixth respondent karaikarar has not consented for conducting the festival.

6. When the matter is taken up for hearing today, the learned Government Advocate (Civil Side) appearing for the HR&CE Department would submit that the third respondent submitted that five groups are agreeing for conducting the festival and that the group headed by the sixth respondent was not consenting and hence, the police may be directed to give adequate protection to the festival to be conducted by the five groups.

7. The learned Senior Counsel appearing for the writ petitioners would submit that in the enquiry before the second respondent, the sixth respondent submitted that the festival may be conducted in the Vaikasi



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month and that they may be given liberty to approach the competent authority for conducting the festival in the Vaikasi month.

8. Considering the submissions made on either side and also taking note of the report of the second respondent and the submission made by the learned Government Advocate (Civil Side), the writ petitioners are directed to give a fresh representation incorporating the date and timings of the festival before the second respondent and on such representation, the second respondent is directed to consider the same and pass orders within a period of two days from the date of receipt of the representation.

9. With the above direction, this Writ Petition stands disposed of.

No costs.

23.09.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes/ No

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Note : Issue order copy on 26.09.2024



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- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

csm

Order made in
W.P.(MD)No.22383 of 2024

Dated : 23.09.2024