



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 27.02.2024

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)No.27690 of 2023

and

WMP(MD)Nos.23802 of 2023

and

WMP(MD)No.3938 of 2024

and

WMP(MD)No.2170 of 2024

T.Kasimayan (Ayyankodanki)

... Petitioner

vs.

1.The District Collector,
Madurai District, Madurai.

2.The Revenue Divisional Officer,
Usilampatti Division,
Madurai District.

3.The Tahsildar,
Usilampatti Taluk,
Madurai District.

4.Raja

5.Ashok

6.Sankar

(R5 & R6 were impleaded vide order
dated 29.01.2024 in WMP(MD)No.185 of 2024)

<https://www.mhc.tn.gov.in/judis>



7.M.Jeya Prakash

... Respondents

(R7 is impleaded vide order dated 23.02.2024 in WMP(MD)No.4117 of 2024)

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the second respondent in Na.Ka.No.5532/2022/A1 dated 28.06.2023 and quash the same as illegal and consequently directing the second respondent confirming the order in Na.Ka.No.A1/5532/2022 dated 28.06.2023 for conducting the Poojas in headship of Periyapoosari (Chellapandi) at Oddanchathiram Temple, Pappapatti Village, Usilampatti Taluk, Madurai District.

For Petitioner : Mr.G.Prabhu Rajadurai for Mr.M.Beema Rao
For Respondents: Mr.D.Gandhiraj,
Special Government Pleader for R1 to R3

Mr.G.Radhakrishnan for R4 and R7

Mr.H.Lakshmi Shankar for R5 & R6

ORDER

The petitioner is the designated Ayyankodangi of Otchandammal Temple, Pappapatti Village, Usilampatti Taluk. The Revenue Divisional Officer, Usilampatti convened a peace committee meeting on 28.06.2023 at 10.30 A.M and that one Chellapandi had been nominated as Periya Poosari. On the same day, another meeting was convened by the very same RDO and the impugned proceedings were issued at 06.45 P.M for keeping the earlier proceedings in abeyance. Challenging the latter proceedings, this present writ petition came to be filed.



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2.I endeavoured to resolve the issue amicably. But the parties are sticking to their respective positions. It is beyond dispute that a peace committee meeting has no legal value or consequence. Even if a person acts in breach of the decision of a peace committee meeting, he cannot be saddled with any penal consequence. In that view of the matter, both the proceedings passed by the RDO, Usilampatti are declared as not binding on any of the parties.

3.My attention is drawn to the proceedings dated 19.02.2024 issued by the Deputy Superintendent of Police, Usilampatti. I fail to understand as to how the jurisdictional police can pass an order setting out the manner in which a temple festival has to be conducted. The revenue authorities as well as the police authorities will totally keep away. Revenue authorities can step in only under the provisions of Cr.PC. Likewise, if any cognizable offence is committed, the police are under an obligation to take action as per law. The parties will have to establish their case only before the jurisdictional civil court or any other appropriate forum. The writ court cannot adjudicate such contentious issues at this stage.



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4. Granting liberty to the parties to work out their rights, this writ petition is disposed of. No costs. Connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS II)

// True Copy //

12/03/2024

Sub Assistant Registrar
(CS- I/ II / III / IV)

skm

To

1. The District Collector,
Madurai District, Madurai.

2. The Revenue Divisional Officer,
Usilampatti Division,
Madurai District.

3. The Tahsildar,
Usilampatti Taluk,
Madurai District.

+1 CC to M/s.H.LAKSHMI SHANKAR, Advocate (SR-7745[F] dated 28/02/2024)

+1 CC to M/s.SPL.GP (SR-7955[F] dated 28/02/2024)



+1 CC to M/s.M.BEEMA RAO, Advocate (SR-8075[F] dated 28/02/2024)

**WP(MD)No.27690 of 2023
and
WMP(MD)Nos.23802 of 2023**

27.02.2024

MGJ(12.03.2024) 5P 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023