

W.P(MD)No.28868 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.02.2025

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**THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

**Writ Petition(MD)No.28868 of 2024**  
**and**  
**W.M.P(MD)No. 24453 of 2024**

R.Karunakaran

..Petitioner

Vs

1.The Tahsildar,  
Trichy West Taluk,  
Trichy District.

2.Balasubramanian  
3.Chandrasekar

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records relating to the impugned order of peace committee meeting dated 05.11.2024 passed by the first respondent and quash the same as illegal.

For Petitioner : Mr.B.Prasanna Vinoth  
For Respondents : Mr.S.Shaji Bino  
Spl. Govt. Pleader for R1

Mr.S.A.Ajmal Khan for  
Mr.S.Madhankumar for R2 and R3



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**ORDER**

This writ petitioner seeks issuance of a Writ of Certiorari to quash the proceedings of the first respondent dated 05.11.2024.

2. There is an existence in the town of Woraiyur, a temple dedicated to the Arulmigu Selvamariamman deity. The temple is said to be more than 100 years old. Apart from the idol of the aforesaid deity, it also has idols of ShreeVinayagar and Shere Murugar.

3. In the year 2007, a request was made for installation of the idol of Shree Madurai Veeran Swamy. Pursuant to the said request, though the Madurai Veeran Swamy idol was not an original part of the temple, it was installed.

4. It is a practice of those, who worship Madurai Veeran Swamy, to offer “அசைவ படைபல்” (non-vegetarian offering). Protesting against the said non-vegetarian offering, the idol of Madurai Veeran Swamy had been shifted from the place inside the Selvamariamman Temple to outside the temple complex.



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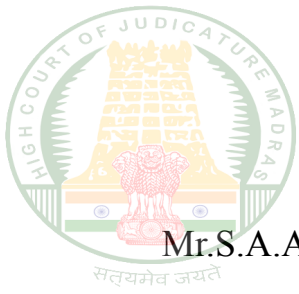
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5. The plea of the petitioner is that there are three other idols, namely, Selvamariamman, Vinayagar and Murugar, which are “sathvic” deity to whom “அசைவ பட்டியல்” (non-vegetarian) is not presented. Hence, this shifting is justified.

6. It is stated that Kumbabisekam was also conducted for the entire temple on 22.08.2024. Thereafter, the respondents 2 and 3 approached the Inspector of Police, Woraiyur seeking police intervention to shift the Madurai Veeran idol back to the location, where it had been originally installed in the year 2007.

7.The police forwarded the same to the first respondent/Tahsildar. The first respondent/Tahsildar, by way of the impugned order, directed the police to offer protection at the time of re-installation of the Maduraiveeran idol inside the Selvamariamman Temple. Aggrieved by the same, the present writ petition.

8. I heard Mr.B.Prasanna Vinoth for the petitioner, Mr.S.Shaji Bino, learned Special Government Pleader for the first respondent,



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Mr.S.A.Ajmalkhan, for Mr.S.Madhankumar for the respondents 2 and 3.

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9. Mr.B.Prasanna Vinoth pleads that the Tahsildar cannot pass an order that he did, in exercise of power, under the guise of summoning a peace committee.

10. The learned Special Government Pleader, inviting my attention to the invitation that has been published for Kumbabisekam, points out that the festival has been completed and this petition has become infructuous.

11. Mr.S.A.Ajmalkhan pleads that the temple belongs to the ancestors of the respondents 2 and 3 and not to the ancestors of the petitioner.

12. I have carefully considered the submissions of all sides.

13. At the outset, I should point out that the concept of a peace committee meeting is unknown to statutory or delegated legislations. It is a practice developed by the revenue authorities in order to resolve issues which have a scene of urgency. It is an attempt to resolve the disputes through negotiation



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with all stakeholders. It has no legal sanctity. It is at best a kind of mediation,

that is done under the cloud of executive power. It is an attempt by the revenue authorities to negotiate and settle the matter. If one party is not willing to settle the issue, as of the case in the present case, it is open to the Tahsildar to invoke statutory power and pass orders or refer the parties to the civil Court. However, he does not possess the jurisdiction of the civil Court to grant a decree for mandatory injunction, accompanied by an order of police protection to grant the relief, which can appropriately be granted only by the civil Court. When a proceeding is without legal authority, it is a cries out to this Court to quash the same.

14. In the light of the above discussion, the impugned order passed by the first respondent/Tahsildar dated 05.11.2024 is quashed. The fact that the impugned order is quashed does not mean that the petitioner and the respondents 2 and 3 should be left remediless. It is always open to the petitioner to plead that his right has been infringed and seek a declaration or such other reliefs, as may be advised, before the Civil Court. The respondents 2 and 3 are also entitled to move the civil Court if they are so advised and seek appropriate relief with respect to the Madurai Veeran idol therein.



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15. With the above liberty, this writ petition is allowed. No costs.

Consequently, connected miscellaneous petition is closed.

**03.02.2025**

NCC : Yes/No

Index : Yes/No

Internet: Yes

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To

1. The Tahsildar,  
Trichy West Taluk,  
Trichy District.



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**V.LAKSHMINARAYANAN, J.**

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