



W.P.(MD).No.7406 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17-03-2026

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD).No.7406 of 2026

and

W.M.P(MD).Nos.6076 and 6078 of 2026

M.Muthukkallammal

... Petitioner

Vs.

1. The District Collector,
Dindigul District,
Dindigul.
2. The Joint Commissioner,
HR and CE Department,
Madurai-1.
3. The Assistant Commissioner,
HR and CE Department,
Dindigul.
4. The Revenue Divisional Officer,
Revenue Divisional Office,
Dindigul.
5. The Tahsildar,
Aathur taluk,
Dindigul.
6. S.Paramasivam

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of MANDAMUS directing the respondents 1 to 5 to permit the petitioner to participate and performing pooja as a poosari in Arulmighu Thirukudamulakku Nanneerratu Vizha dated 25.03.2026 at 09.30 am to 10.45 a.m in Arulmighu Sri Sakthi Vinayagar Kovil, Kendaiyanpatti village, Paraipatti Post, Aathur Taluk, Dindigul District and consider the petitioners representation dated 02.03.2026 and pass such further or other orders as this Honble Court may deem fit and proper in the circumstance of the case and thus render justice..

For Petitioner : Mr.S.Pugalendhi
For R1 to R4 : Mr.J.K.Jayaselan
Government Advocate

ORDER

The prayer is for a writ of mandamus directing the respondents to permit the petitioner to participate and perform pooja as a poosari in Arulmighu Thirukudamulakku Nanneerratu Vizha, which is to be performed on 25.03.2026 at Arulmighu Sri Sakthi Vinayagar Kovil, Kendaiyanpatti village, Paraipatti Post, Aathur Taluk, Dindigul District, by considering the petitioner's representation dated 02.03.2026.



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2. Heard Mr.S.Pugalendhi, learned counsel for the petitioner and Mr.J.K.Jayaselan, learned Government Advocate, who takes notice for the respondents 1 to 4.

3. When the matter came up for hearing today, the learned Government Advocate appearing for the respondents 1 to 4, would submit that the petitioner claiming herself as the hereditary poosari and rights to perform pooja had filed a suit in O.S.No.47 of 2020, on the file of the District Munsif cum Judicial Magistrate, Aathoor. The said suit was dismissed vide judgement and decree dated 07.10.2025 for the default of the petitioner.

4. When the petitioner has already filed a comprehensive suit seeking the very same relief, namely, a declaration that she is the priest of Arulmighu Sri Sakthi Vinayagar Kovil along with consequential reliefs and has subsequently allowed the said suit to be dismissed for default, the present writ petition is not maintainable.



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5. Therefore, the relief sought in the writ petition, insofar as it relates to performing pooja in the Kudamuzhuku, cannot be granted in the absence of a decree from the competent civil court or a declaration by the Joint Commissioner under Section 63 of the (HR&CE) Act, 1959 or an order appointing the petitioner as poosari. However, it is open to the petitioner to either seek restoration of the suit or to file an application under Section 63 of the (HR&CE) Act, 1959, as the case may be.

6. Since the Kudamuzhuku itself is happening soon on 25.03.2026, no orders can be passed with reference to performing pooja during the said festival. However it will be open for the petitioner to participate as any other devotee.

7. With the above said liberty, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

17.03.2026

Index: Yes
Speaking Order: Yes
Neutral Citation: No
rgm



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