



W.P.Crl.(MD)No.1849 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.04.2026

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.Crl.(MD)No.1849 of 2026

P.Somasundaram

... Petitioner

Vs.

1. The District Collector,
O/o. the District Collector,
Madurai District, Madurai - 625 020.
2. The District Superintendent Of Police,
Madurai District,
Alagarkoil Road,
Madurai -625007.
3. The Inspector of Police,
Melur Police Station,
Melur, Madurai District.
4. S.Santhiveeran

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to take necessary measures to ensure the peaceful performance of Kumbabhishegam of Sri Mariamman Temple at Kakkanji Colony, Therukuthuru Village, Melur Taluk, Madurai District on 11.04.2026 to 13.04.2026.



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For Petitioner : Mr.P.Subbiah
For Respondents : Mr.C.Satheesh (R1)
Government Advocate (Civil)
Mr.S.Ravi (R2 & R3)
Additional Public Prosecutor
Mr.R.Karunanidhi (R4)

ORDER

This writ petition has been filed seeking for a direction to the respondents to take necessary measures to ensure the peaceful performance of Kumbabhishegam of Sri Mariamman Temple at Kakkanji Colony, Therukutheru Village, Melur Taluk, Madurai District on 11.04.2026 to 13.04.2026.

2. The learned counsel appearing for the petitioner submitted that the aforesaid temple exclusively belongs to the family, namely Mannavan Perumal vagaiyara, and that they have been worshipping at and managing the temple for the past three generations. The petitioner has planned to perform Kumbabhishegam, and invitations have been printed and circulated. Hence, the petitioner has submitted a representation before the revenue authorities seeking permission, and the same is pending consideration. However, the 4th respondent, who is an atheist and political party member, is disturbing the



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peaceful conduct of Kumbabhishegam. Therefore, this writ petition has been filed.

3. It was further submitted by the learned counsel appearing for the petitioner that renovation work of the temple was continued. In the interregnum, the third respondent police directed the petitioner not to continue with the renovation work until getting favourable order of this Court. Hence, renovation work was discontinued and hence, Kumbabhishegam was not performed as scheduled on 11.04.2026 to 13.04.2026. After consultation with Sivachari, who was arranged to perform Kumbabhishegam, the said function has been re-fixed on 13.05.2026 and 14.05.2026 and Yagasalai poojas and Silai prathistai would be performed on 13.05.2026 and 14.05.2026 respectively.

4. The learned counsel appearing for the petitioner further submitted that the land in which the aforesaid temple is situated is a ryotwari and chitta has also been issued as early as on 27.09.2009 by the Deputy Tahsildar, Melur. However, pending this writ petition, the fourth respondent managed to obtain certificate from the jurisdictional Village Administrative Officer on 07.04.2026 with undue influence certifying that the land in S.No.833/43 in which the aforesaid temple is situated is a government poramboke land. The aforesaid



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temple exclusively belongs to the family, namely Mannavan Perumal vagaiyara and the fourth respondent cannot in any manner interfere with the peaceful conduct of Kumbabhishegam of the aforesaid temple by the petitioner and his vahayara people.

5. The learned counsel appearing for the 4th respondent submitted that the fourth respondent belongs to Hindu Parayar community who is residing at Therku theru village, Melur Taluk, Madurai District for the past three generations. His family along with all the villagers have been jointly conducting poojas and festivals in Shri Amman temple. He further pointed out that the petitioner is maintaining a separate temple namely Mondi temple bearing the inscription “ஸ்ரீ மன்னவன் பெருமாள் வகையறா குல கோவில் வீடு” situated approximately 15 meters away from the said Shri Amman temple. As far as Shri Amman temple is concerned, originally poojas were conducted only to a neem tree and subsequently, to soolayudham and from the donations collected from the villagers, Shri Amman temple was constructed. The claim of the petitioner that his forefathers alone were worshipping the deity from time immemorial and that his son is exclusively performing poojas is false. Both the petitioner's family and the 4th respondent's family along with the villagers have been jointly worshipping Shri Amman temple. There has been no proper



regular pooja as claimed.

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6. The learned counsel appearing for the 4th respondent further submitted that the said temple exclusively belongs to Mannavan Perumal vagaiyara is incorrect and the temple is traditionally known as Sri Amman Temple and not Sri Mariamman Temple as falsely projected by the petitioner. No regular festivals such as Mattu pongal, Thai Poosam, Panguni Uthiram or Aadi Karagam were conducted by the petitioner at any point of time and the claim of the petitioner that the temple was constructed in the year 1995 was absolutely incorrect. The temple was constructed only through the contributions made by entire Villagers and now, the petitioner is attempting to assert exclusive control by issuing invitations, installing idols and changing the name of the deity to Sri Mariamman Temple. Further, a bank account was opened in the name of Sri Amman Thunai, Dr.Ambedkar Youth Mandram, Therkku Theru. The temple is a public temple constructed and maintained through the contributions from all the villagers.

7. While the fourth respondent has no objection to the conduct of the Kumbabishegam, it is contended that the same must be carried out collectively, in accordance with the established customs. It is further submitted that the



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petitioner has lodged a false complaint, and in response thereto, the fourth respondent along with other villagers submitted representations to the authorities on 11.03.2026 and 28.03.2026. However, no action has been taken on the same. In such circumstances, it is contended that the writ petition filed by the petitioner is devoid of merit and is liable to be dismissed.

8. The learned Government Advocate appearing for the respondent police submitted that a dispute involving questions of fact has arisen with respect to the rival claims of the petitioner and the fourth respondent regarding the nature of administration of Sri Mariamman Temple / Sri Amman Temple. It is further submitted that the respondent police cannot adjudicate upon such disputed questions, and that an appropriate resolution can be arrived at only by the parties agitating their rights before the competent civil forum.

9. Heard the learned counsel on either sides and carefully perused the materials placed before this Court.

10. Though the present writ petition has been filed seeking a direction to the respondents to take necessary measures to ensure the peaceful conduct of the Kumbabishegam of Sri Mariamman Temple / Sri Amman Temple, situated



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at Kakkanji Colony, Therukutheru Village, Melur Taluk, Madurai District,

during the period from 11.04.2026 to 13.04.2026, the said period has already elapsed. It is now represented that the petitioner seeks permission to conduct the same on rescheduled dates in the month of May. However, the fourth respondent has raised substantial objections in this regard. The petitioner claims that the Sri Mariamman Temple / Sri Amman Temple belong to Mannavan Perumal vagaiyara and that the temple exclusively belongs to the entire villagers from several communities and further, it is claimed by the petitioner that the property is a temple property, while the fourth respondent claimed to be a government property. In such circumstances, several disputed questions of fact had arisen, which cannot be resolved in this writ petition.

11. With the aforesaid observations, this writ petition stands disposed of giving liberty to the fourth respondent to approach the competent civil Court for appropriate directions.

16.04.2026

NCC : Yes / No
Index : Yes / No
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Note: Issue order copy on 11.05.2026.



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L.VICTORIA GOWRI, J.

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TO:-

1. The District Collector,
O/o. the District Collector,
Madurai District, Madurai - 625 020.
2. The District Superintendent Of Police,
Madurai District,
Alagarkoil Road,
Madurai -625007.
3. The Inspector of Police,
Melur Police Station,
Melur, Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
W.P.Crl.(MD)No.1849 of 2026

Dated
16.04.2026