



W.P.Crl.(MD)Nos.2041 & 2059 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **09.04.2026**

CORAM:

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

W.P.Crl.(MD)Nos.2041 & 2059 of 2026

W.P.Crl.(MD)No.2041 of 2026:

N.Selvam

... Petitioner

Vs.

1.The Assistant Commissioner,
HR & CE Department,
Singampunari,
Sivagangai District.

2.The Inspector of Police,
Puluthipatti Police Station,
Sivagangai District.

3.Thenan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to take action on the petitioner's representation dated 06.04.2026 and prevent the 3rd respondent and his men from conducting the temple festival of Malayala Satha Ayyanar Temple as well las Manjuvirattu function situated at K.Puthupatti Village, Singampunari Taluk, Sivagangai District which is scheduled on 10.04.2026.

For Petitioner : Mr.R.J.Karthick

For Respondents : Mr.C.Satheesh (R1)



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Government Advocate (Civil)

Mr.M.Sakthi Kumar (R2)

Government Advocate (Crl.)

Mr.R.G.Shankar Ganesh (R3)

W.P.Crl.(MD)No.2059 of 2026:

1.S.Thenan

2.T.Thirupathi

... Petitioners

Vs.

1.The Joint Commissioner,
Tamil Nadu Hindu Religious and Charitable Endowment Department,
Sivagangai District.

2.The Assistant Commissioner,
Tamil Nadu Hindu Religious and Charitable Endowment Department,
Sivagangai District.

3.The State of Tamil Nadu,
Rep.by The Inspector of Police,
Puluthipatti Police Station,
Sivagangai District.

4.The Election Officer / Sub Collector,
Thirupathur Taluk,
Sivagangai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 3rd respondent to provide adequate police protection for the Panguni Festival scheduled from 10.04.2026 to 20.04.2026 at Arulmigu Malayala Sastha Ayyanar Temple and Shri



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Muthumariamman Temple at K.Pudhupatti, Dharmapatti Post, Singamalai Taluk, Sivagangai District based on the petitioner's representation dated 01.04.2026 and the proceedings dated 26.03.2026 in Na.Ka.No.400/2025/A3 on the file of the 2nd respondent.

For Petitioners : Mr.R.G.Shankar Ganesh

For Respondents : Mr.C.Satheesh (R1,2 & 4)

Government Advocate (Civil)

Mr.M.Sakthi Kumar (R3)

Government Advocate (Crl.)

COMMON ORDER

Seeking to direct the 2nd respondent to take action on the petitioner's representation dated 06.04.2026 and prevent the 3rd respondent and his men from conducting the temple festival of Malayala Satha Ayyanar Temple as well as Manjuvirattu function situated at K.Puthupatti Village, Singampunari Taluk, Sivagangai District which is scheduled on 10.04.2026, W.P.Crl.(MD)No.2041 of 2026 is filed.

2. Seeking to direct the 3rd respondent to provide adequate police protection for the Panguni Festival scheduled from 10.04.2026 to 20.04.2026 at Arulmigu Malayala Sastha Ayyanar Temple and Shri Muthumariamman Temple at K.Pudhupatti, Dharmapatti Post, Singamalai Taluk, Sivagangai District based on the petitioner's representation dated 01.04.2026 and the



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proceedings dated 26.03.2026 in Na.Ka.No.400/2025/A3 on the file of the 2nd respondent, W.P.Crl.(MD)No.2059 of 2026 is filed.

3. The learned counsel for the petitioner in W.P.Crl.(MD)No.2059 of 2026 submitted that the 1st petitioner is one among 3 Hereditary Trustees who is managing the affairs of the Arulmigu Malayala Sastha Ayyanar Temple. The other two trustees are Thiru.Nachan @ Raja and Thiru.S.Rajendran. However, by the proceedings of the Joint Commissioner, HR & CE Department, Sivagangai, dated 20.06.2025, due to certain allegations., the other two trustees, other than the 1st petitioner, namely Thiru.Nachan @ Raja and Thiru.S.Rajendran were already removed temporarily from the post of Trustees. So the only available Trustee is the 1st petitioner herein, and in the capacity of Ttrustee, he had made necessary application for conduct of temple festival to the Assistant Commissioner of HR & CE Department, Sivagangai and the Assistant Commissioner has granted permission vide proceedings dated 26.03.2025 in Na.Ka.No.400/2025/A3. However, the same is hindered by the petitioner in W.P.Crl.(MD)No.2041 of 2026 who is a devotee of the said temple. In this regard, a representation has already been sent to the 3rd respondent police on 01.04.2026 seeking adequate police protection for conduct of Panguni festival and the same is pending. In the meanwhile, to



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ensure obtaining police protection, W.P.Crl.(MD)No.2059 of 2026 is filed.

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4. The learned counsel for the petitioner in W.P.Crl.(MD)No.2041 of 2026 submitted that the Trustee is the one who holds the administration post in Trust on behalf of all the villagers. Making use of the fact that the other two trustees are removed from the post of Trustees by the official proceedings, the present Trustee who is a petitioner in W.P.Crl.(MD)No.2059 of 2026 had taken decision unilaterally by making an application before the HR & CE and had obtained permission to conduct festival from 10.04.2026 to 20.04.2026 at Arulmigu Malayala Sastha Ayyanar Temple without consulting the devotees of the temple. Already on behalf of the villagers, one Lakshmanan has given a representation to the Assistant Commissioner, HR & CE Department, Sivagangai on 06.04.2026 requesting to postpone the festival after elections for the peaceful conduct of the same. However, without considering the same, the 2nd respondent had given permission in hasty manner to conduct the festival from 10.04.2026 to 20.04.2026. He also pointed out that all the villagers have started divine fasting and that should go for 15 days which could not be concluded before 10.04.2026. However, the present Trustee without consulting the people, hastily proceeded to decide the date of the festival. Admittedly, it is a village temple. Among five Hereditary Trustees, two persons died and other



two persons are already suspended from the said post.

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5. The learned Government Advocate (Civil) submitted that only on the impression that the Trustee would have convened a village meeting for the purpose of finalising the date of the temple festival, which is normally expected from a Trustee, the application made by the sole Trustee seeking permission to conduct Panguni festival was allowed considering the fact that the said festival was conducted after a period of 20 years in the previous year, and the same should not be interrupted in the subsequent year. However, they are ignorant of the fact that no village committee / devotee was convened by the sole Trustee for the purpose of deciding the date of the festival.

6. Heard the learned counsel on either side and carefully perused the materials available on record.

7. Though the petitioner in W.P.Crl.(MD)No.2059 of 2026 is the sole Hereditary Trustee, who is presently managing the affairs of Arulmigu Malayala Sastha Ayyanar Temple, the learned counsel for the petitioner fairly submitted that the Temple is not a private family temple, but it is a village temple. He also categorically contended that as a sole Trustee, he had decided the date of the



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festival and had made an application before the Assistant Commissioner, on the basis of which, after getting a report from the Circle Inspector, HR & CE Department, Singampunari, the permission was properly given by the Assistant Commissioner and only on the basis of the same, he had arranged to schedule the temple festival to be held from 10.04.2026 to 20.04.2026. However, it the categorical contention of the learned counsel for the petitioner in W.P.Crl. (MD)No.2041 of 2026 that being a village temple, the regular practice is that the Hereditary Trustee would convene a meeting of the villagers, on which circumstance the date of the temple festival would be decided exclusively for the sole reason that the villagers would observe divine fast in the eve of Panguni Uthiram for a period of 15 days. Any temple festival convened without completion of the 15 days divine fasting would hurt the religious belief and sentiments of the devotees. In view of the same, as a Trustee, the petitioner in W.P.Crl.(MD)No.2059 of 2026 is duty bound to give proper consideration and appreciation for the sentiments of the devotees and negating such religious sentiments of the devotees would cause apprehension of great harm to the living condition of the villagers. Under the present circumstances, the scheduled date from 10.04.2026 to 20.04.2026 would lead to attending the temple festival before completion of the divine fasting. In view of the same, it is necessary for the sole Trustee to have consulted with the villagers / devotees



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and thereafter, decided the date.

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8. The learned Government Advocate(Civil) on instructions from the Circle Inspector, HR & CE Department, Singampunari, submitted that the report was submitted only with respect to the total number of devotees who are expected to participate and the other related functions. However, whenever an application is made by a Trustee for the conduct of temple festival, the HR & CE department would be of the impression that the village committee / devotee committee would have been conducted by the Trustee on behalf of the temple and devotees and thereafter, submitted an application fixing the date of the temple festival. In the instant case, the department is unaware as to the factum of non-conduct of such meeting for taking a final decision on the date of the scheduled temple festival. The learned counsel for the petitioner in W.P.Crl. (MD)No.2041 of 2026 submitted that such a meeting was not at all convened and now the devotees will be at stake and that they will be compelled to withdraw the divine fasting midway. In view of the same, the petitioner in W.P.Crl.(MD)No.2059 of 2026 is directed to convene a meeting of the devotees / villagers on 12.04.2026 and take a final decision in consultation with the villagers / devotees as to the date on which the proposed temple festival of Arulmigu Malayala Sastha Ayyanar Temple temple could be conducted. On



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taking a proper decision as to the date of festival, the 2nd respondent in W.P.Crl. (MD)No.2059 of 2026 is directed to grant permission forthwith for conduct of temple festival on the decided dates in the said meeting which is to be decided on 12.04.2026.

9. Accordingly, both the Writ Petitions are disposed of. No costs.

09.04.2026

NCC : Yes / No

Index : Yes / No

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Note: **Issue order copy on 09.04.2026.**



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TO:-

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1. The Joint Commissioner,
Tamil Nadu Hindu Religious and Charitable Endowment Department,
Sivagangai District.
2. The Assistant Commissioner,
Tamil Nadu Hindu Religious and Charitable Endowment Department,
Sivagangai District.
3. The State of Tamil Nadu,
Rep.by The Inspector of Police,
Puluthipatti Police Station,
Sivagangai District.
4. The Election Officer / Sub Collector,
Thirupathur Taluk,
Sivagangai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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Order made in
W.P.Crl.(MD)Nos.2041 & 2059 of 2026

Dated
09.04.2026
(2/2)