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W.P. No.21707 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P. No.21707 of 2023

K.Thangarasu @ K.Thangaraj,
Hereditary Trustee of Arulmighu
Sri Ruthra Maha Kaliyamman Alayam,
Parambarai Trust,
5/3, Pidari Mela Veethi,
Sirkali Taluk – 609 110.
Mayiladuthurai District.

(Represented by his
Power Agent – T.Natarajan)

... Petitioner

VS.

- 1.The Secretary,
Tourism, Culture and Religious
Endowments Department,
Fort St. George,
Chennai – 600 009.
- 2.The Commissioner,
Hindu Religious & Charitable Endowments,
Chennai – 600 034.
- 3.The District Collector,
Mayiladuthurai District.



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4.The Commissioner of HR & CE,
Mayiladuthurai Range,
Mayiladuthurai Town.

5.The Superintendent of Police,
Mayiladuthurai District at
Mayiladuthurai.

6.The Inspector of Police (L & O),
Sirkali Town,
Mayiladuthurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents more particularly 5th and 6th respondents by granting permission and to give adequate police protection to the temple festival at Arulmighu Sri Rudhra Maha Kaliyamman Aalaya 14th year Theemidhi Urtchava Celebration and Veedhiula in and around Sirkali Town, to be held between 23.07.2023 and 01.08.2023 by considering the petitioner's representation dated 21.06.2023.

For Petitioner : Mr.P.Ayyaswamy

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This writ petition has been filed for a direction to the respondents to grant police protection in order to conduct the festival at Arulmigu Sri Rudhra Maha Kaliyamman Temple at Sirkali Town based on the representation made by the petitioner on 21.06.2023.



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2. Heard the learned counsel for petitioner and the learned Additional Public Prosecutor appearing on behalf of respondents.

3. The petitioner claims that he is the hereditary trustee of the temple and that the festival has been conducted every year during the Aadi month. This year, the festival was supposed to be conducted from 23.07.2023 to 01.08.2023. The petitioner wanted police protection to ensure that no untoward incidents takes place during the festival. Since the representation was not considered, the present writ petition has been filed before this Court.

4. Learned Additional Public Prosecutor on instructions submitted that there is a dispute between two parties in conducting the festival. A Peace Committee meeting was conducted by the Tahsildar, Sirkali, where both the groups participated. In spite of the persuasion of the Tahsildar, both the groups were not able to reach any settlement. That apart, there was also dispute as to who will keep the Vinayagar idol inside the temple. Since the Tahsildar found that granting permission for conducting the festival will lead



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to a law and order problem, directed that no one should keep the Vinayagar idol inside the temple and no one should create any law and order problem.

5. This Court encounters writ petitions of this nature on a daily basis. Every time a temple festival is conducted, there are two groups, who start fighting with each other and it leads to a law and order problem. Hence, every day, writ petitions of this nature are filed before this Court seeking for police protection.

6. The purpose of a temple is to enable the devotees to worship god for peace and happiness. However, unfortunately, temple festivals are perpetuating violence and it is only becoming a center stage for groups to show who is powerful in the particular area. There is no devotion involved in conducting these festivals and rather it has become a show of strength by one group or the other. This completely defeats the very purpose of conducting temple festivals. If temples are going to perpetuate violence, the existence of temples will have no meaning and in all such cases, it would be better to close down those temples so that the violence can be averted. Till the man drops his ego and goes to the temple seeking for the blessings of the god, the



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whole purpose of having a temple is of no use. It is quite painful that this Court has to encounter writ petitions of this nature on a daily basis. This happens more so during the months where temple festivals are conducted in Tamil Nadu.

7. The time and energy of the Police and Revenue department is unnecessarily wasted in resolving dispute between the groups, who are fighting over their right to conduct the temple festival. The Police and Revenue have got other important functions to perform and their time is wasted by trying to resolve the dispute between two groups who have no devotion to god and are more interested in showing their strength over the other. In the considered view of this Court, the precious time of the Revenue and Police cannot be wasted in disputes of this nature.

8. In the light of the above discussions, there is no question of providing police protection for conducting the temple festival. It is left open to the parties to conduct the festival peacefully without their ego coming to the forefront. If any law and order problem is created, the respondent police



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shall immediately interfere and take action against all persons concerned and shall stop the festival from proceeding any further.

This Writ Petition is disposed of in the above terms. No costs.

21.07.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
rsi

Note: Issue order copy on 21.07.2023

To

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Tourism, Culture and Religious
Endowments Department,
Fort St. George,
Chennai – 600 009.
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N. ANAND VENKATESH, J.

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