



W.P(MD)No.1955 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.1955 of 2023
and W.M.P.(MD)No.1725 of 2023

M.A.Sakthiramalingam

... Petitioner

Vs.

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 3.The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.
- 4.The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.
- 5.The Tahsildar,
Thirupavanam,
Sivagangai District.
- 6.The Inspector of Police,
Thirupavanam Police Station,
Thirupavanam,
Sivagangai District.



W.P(MD)No.1955 of 2023

7.Malaimaran

8.Mayan

9.Thiunayagam

... Respondents

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 6 to stay the Kudamuzhuku Festival and also inauguration of new idol which has to conducted by the respondents 7 to 9 scheduled to be held on 09.02.2023 and 10.02.2023 for Arulmighu Annai Kalimuthu Mariyamman Temple situated at Ammapuram @ Pasiyapuram Village, Keeladi Post, Thirupavanam Taluk, Sivagangai District who is conducting the festival without following the will executed by the petitioner's grandmother late Kalliammal and also the order passed in O.S.No.42 of 2008 before the District Munsif Court, Manamadurai or allow the petitioner and other legal heirs to conduct festival along with them.

For Petitioner : Mr.S.Krishnasamy
for Mr.M.Pandian

For R1, R4 & R5 : Mr.J.K.Jeya Selan
Government Advocate (Civil Side)

For R2, R3 & R6 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

For R7 to R9 : Mr.Subbiah @ Jeya Vardhan

ORDER

The writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the respondents 1 to 6 to stay the



W.P(MD)No.1955 of 2023

Kudamuzhuku Festival and also inauguration of new idol which has to conducted by the respondents 7 to 9 scheduled to be held on 09.02.2023 and 10.02.2023 for Arulmighu Annai Kalimuthu Mariyamman Temple situated at Ammapuram @ Pasiyapuram Village, Keeladi Post, Thirupavanam Taluk, Sivagangai District who is conducting the festival without following the will executed by the petitioner's grandmother late Kalliammal and also the order passed in O.S.No.42 of 2008 before the District Munsif Court, Manamadurai or allow the petitioner and other legal heirs to conduct festival along with them.

2. Heard the learned counsel appearing for the writ petitioner, the learned Government Advocate (Civil Side) appearing for the respondents 1, 4 and 5, the learned Additional Public Prosecutor appearing for the respondents 2, 3 and 6 and the learned counsel appearing for the respondents 7 to 9.

3. The main contention of the writ petitioner is that the private respondents have already changed the idol of the temple.



W.P(MD)No.1955 of 2023

4. The learned counsel appearing for the respondents 7 to 9 would submit that they have not changed the idol and they are going to conduct Kumbabishekam for the existing idol.

5. The learned Government Advocate (Civil Side) appearing for the respondents 1, 4 and 5 has filed the report of the fifth respondent.

6. Considering the fact that the temple festival scheduled to be held on 09.02.2023, the fourth respondent is directed to conduct a peace committee meeting in this regard on 07.02.2023 and consider the claims of both the parties and decide the same.

7. With the above direction, this writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

06.02.2023

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
csm

Note : Issue order copy today (06.02.2023)



W.P(MD)No.1955 of 2023

To

WEB COPY

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 3.The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.
- 4.The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.
- 5.The Tahsildar,
Thirupavanam,
Sivagangai District.
- 6.The Inspector of Police,
Thirupavanam Police Station,
Thirupavanam,
Sivagangai District.
- 7.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P(MD)No.1955 of 2023

K.MURALI SHANKAR, J

csn

Order made in
W.P(MD)No.1955 of 2023
and
W.M.P.(MD)No.1725 of 2023

Dated : 06.02.2023