



W.P.(MD) No.5412 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.5412 of 2023

A.Kalimuthu

.. Petitioner

Vs.

1.The Joint Commissioner,
HR & CE,
Ellis Nagar, Madurai.

2.The Executive Officer,
A/M Periya Mariamman Thirukovil,
Srivilliputhur Town, Virudhunagar District.

3.The Thakkar,
A/M Periya Mariamman Thirukovil,
Srivilliputhur Town,
Virudhunagar District.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the respondents herein to grant permission to have 9th day day-time Mandagapadi of A/M Periya Mariamman Temple in Krishnankovil Street, Srivilliputhur Town which is scheduled to be held on 18.03.2023 by taking the Goddess Mariamman by car.



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For Petitioner : Mr.M.Thirunavukkarasu

For Respondents : Mr.P.Subbaraj
Special Government Pleader

ORDER

This writ petition has been filed seeking a mandamus to direct the respondents to grant permission to have the 9th day day-time Mandagapadi of Arulmighu Periya Mariamman Temple in Krishnankovil Street, Srivilliputhur Town by taking the Goddess Mariamman by car in the morning hours. The 9th days falls on 18.03.2023.

2. It is the petitioner's case that as per the custom prevailing in Srivilliputhur Town, during the 12 day festival, the deity of Mariamman would be taken in a precession in the temple car to a particular area for 11 days called 'Mandagapadi'. On the 9th day, the deity will be taken to Mettunaidu Street, Srivilliputhur Town at 6.00 pm. During the day, it remains in the temple. Therefore, the petitioner would submit that he along with three of his community representatives (Maravar Community), had requested the second respondent to permit



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Mandagapadi in their locality viz., Krishnankovil Street, Srivilliputhur, so that people belonging to that area would be able to worship the deity. Since the representation was not considered and the respondents had gone ahead with finalising the programme, the petitioner has been constrained to approach this Court.

3. Heard the learned counsel for the petitioner for the rival claims as well as the learned Special Government Pleader for the respondents.

4. After hearing the arguments, it is seen that if the request of the petitioner is to be considered, the deity should be made to take a detour of 1½ kms from the temple. Further, the petitioner has moved this Court at the nth hour, when the festival has already started on 10th March, 2023. In these circumstances, the prayer sought for in this writ petition cannot be granted. Therefore, this Writ Petition is dismissed. However, liberty is granted to the petitioner to address the second respondent with a representation well in advance for the next year and on receipt of such representation, the second respondent shall positively pass orders



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thereon, after affording opportunity to all the interested parties. No costs.

14.03.2023

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

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P.T.ASHA, J.

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