



W.P(MD)No.12207 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 18.05.2023

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD)No.12207 of 2023
and
W.M.P(MD)No.10442 of 2023

1.V.Kalirajan
2.A.Rajendran

... Petitioners

Vs.

- 1.The District Collector,
Collectorate,
Tenkasi District,
Tenkasi.
- 2.The Revenue Divisional Officer,
Tenkasi.
- 3.The Tahsildar,
Thiruvenkadam Taluk,
Tenkasi.
- 4.The Superintendent of Police,
Tenkasi District,
Tenkasi.
- 5.The Deputy Superintendent of Police,
Sankarankovil,
Tenkasi.

1/8



W.P(MD)No.12207 of 2023

6.The Inspector of Police,
Karivalamvanthanallur Police Station,
Tenkasi District.

7.M.Senthil Kumar

8.S.Gurusamy

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 4 herein to consider their representation dated 15.05.2023 and pass appropriate orders for police protection for celebration of Mandalapooja (48th day Pooja) scheduled on 23.05.2023 in Arulmigu Vada Bathrakaali Amman Thirukovil and Arulmigu Kalyanaveerabatharar Thirukovil at Pillaiyarkulam Village, Thiruvenkadam Taluk, Tenkasi District, as per the judgment and decree dated 05.01.2023 passed in A.S.No.99 of 2014 on the file of the Sub Court, Sankarankovil.

For Petitioner : Mr.V.Meenakshisundaram
For R-1 to R-6 : Mr.P.Subbaraj
Special Government Pleader
For R-7 to R-8 : Mr.Arun Sabari

ORDER

By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.



W.P(MD)No.12207 of 2023

2. The petitioners herein belongs to Karaiyalar Maravar Community based in Kulashekaraperi, Thiruvankadam Taluk, Tenkasi District. The members of the said hamlet have been permitted to offer worship at Arulmigu Sri Vada Bathrakaali Amman Kovil at Pillayarkulam Village, Thiruvankadam Taluk, Tenkasi District on 23.05.2023 for the Mandalapooja likely to be conducted after the Mahakumbabishegam which was conducted on 05.04.2023. With respect to the said Temple, already the learned Subordinate Judge's Court at Sankarankovil in A.S.No.99 of 2014 has passed a judgment and decree on 05.01.2023. In furtherance to the same, the seventh respondent herein filed W.P(MD)No.7550 of 2023 before this Court with respect to the same Arulmighu Sri Vada Bathrakaali Amman Temple directing the respondents 1, 2, 4 and 5 to take necessary action to prevent the Mahakumbabishegam festival. However, the said writ petition was dismissed, permitting the writ petitioners' community to conduct Mahakumbabishegam and in line of the same Mahakumbabishegam was conducted on 05.04.2023. Now this writ petition has been filed seeking to pass appropriate orders for police protection for the celebration of Mandalapooja that is the 48th day pooja scheduled on 23.05.2023 and the learned Counsel for the petitioner sought to allow this writ petition.



W.P(MD)No.12207 of 2023

WEB COPY

3. The learned Special Government Pleader appearing for the respondents 1 to 6 would vehemently submit that it is not possible to allow both the communities of Maravar and Devendra Kula Velalar in the same time to participate in the Mandalapooja citing law and order situation, quoting previous experiences during several other celebrations pertaining to the same Temple.

4. Heard the learned Counsel for the petitioner, learned Special Government Pleader for the respondents 1 to 6 and the learned Counsel for the respondents 7 to 8 and perused the materials available on record.

5. The learned Counsel for the writ petitioner submitted that being vest with the right of management as well as the right of worship, the writ petitioner should be permitted to conduct the Mandalapooja as well as to participate in the said Mandalapooja from 06.00 am to 12.00 pm Uchikaalapooja and thereafter, complete the Annadhanam till 03.00 pm, since floating population of their community to a tune of at least ten thousand people are expected to participate in the said function.



W.P(MD)No.12207 of 2023

WEB COPY

6. The learned Special Government Pleader in the presence of the fifth respondent vehemently submitted that the community of the seventh respondent can be allotted with a particular time after the time allotted to the community of the writ petitioners to avoid the happening of any untoward incident. However, the learned Counsel for the seventh respondent vehemently argued that being a Mandalapooja they should be given the right of worship at least in any of the time slot before the Uchikaalapooja, which was categorically refuted by the authorities 1 to 6 concerned especially, the fifth respondent. I would like to applaud the submissions made by both the learned Counsel for the petitioner as well as the seventh respondent, who fairly accepted the plight of the authorities to maintain the law and situation during the fair conduct of Mahakumbabishegam and the consecutive Mandalapooja.

7. The learned Counsel for the seventh respondent fairly conceded that their community with all their population will participate in the pooja of Mandalapooja between the time from 03.00 pm to 06.00 pm and the fifth respondent is directed to make necessary arrangements giving protection to



W.P(MD)No.12207 of 2023

the entire function right from 06.00 am till 10.00 pm and the community of Devendra Kula Velalar may be permitted to worship in full strength between 03.00 pm to 06.00 pm and the writ petitioners are directed to facilitate the pooja, whatever which has to be conducted. The fifth respondent further requested this Court to strictly instruct the Maravar community to facilitate the worship of the Devendra Kula Vellalar Community from 03.00 pm to 06.00 pm and should not cause any hindrance in any way for them to worship between the period from 03.00 pm to 06.00 pm. This writ petition was disposed of in the following terms:

“(i) The respondent's team will play their music only before the deity and within the Temple compound.

(ii) The music troupe will comprise totally eight persons.

(iii) The petitioner undertakes that they would conduct themselves in such a manner that it would not give rise to any kind of provocation.

(iv) The members of the music troupe will not wear any T-shirt displaying any provocative slogans.

(v) The writ petitioners also undertakes that they would abide by the conditions that may be imposed by the fifth respondent while granting permission.”



W.P(MD)No.12207 of 2023

WEB COPY

8. With the above said observations, this writ petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

18.05.2023

NCC : Yes
Index : Yes
Internet : Yes
BTR

To

- 1.The District Collector,
Collectorate,
Tenkasi District,
Tenkasi.
- 2.The Revenue Divisional Officer,
Tenkasi.
- 3.The Tahsildar,
Thiruvenkadam Taluk,
Tenkasi.
- 4.The Superintendent of Police,
Tenkasi District,
Tenkasi.
- 5.The Deputy Superintendent of Police,
Sankarankovil,
Tenkasi.

7/8



WEB COPY



W.P(MD)No.12207 of 2023

L.VICTORIA GOWRI, J.

BTR

6.The Inspector of Police,
Karivalamvanthanallur Police Station,
Tenkasi District.

Order made in
W.P(MD)No.12207 of 2023

18.05.2023