



W.P.No.38598 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 17.12.2024

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.38598 of 2024

Arulmiu Sivasubramaniyar Alayam
Thaipooosa Thiruvizha Kuzhu,
Rep. by its President R.Thennarasu,
Thaiyur & Post, Gingee Taluk,
Villupuram-604 205.

.. Petitioner

Vs.

1. The Superintendent of Police,
Villupuram District, Villupuram.

2. The Deputy Superintendent of Police,
Ginjee, Villupuram District.

3. The Inspector of Police,
Ginjee Police Station,
Ginjee, Villupuram District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to give adequate police protection to conduct the Arulmighu Subramaniyar Temple Thaipusa Festival, which is scheduled to be held on 10.02.2025 and 11.02.2025 on the basis of the petitioner's representation, dated 02.12.2024 submitted to the respondents.



W.P.No.38598 of 2024

For petitioner : Mr.M.Gnanasekar

For respondents: Mr.S.Sugendran, Addl.P.P.

ORDER

This Writ Petition is filed praying for issuance of a Writ of Mandamus to direct the respondents to give adequate police protection to the petitioner to conduct the Arulmighu Subramaniyar Temple Thaipusa Festival, which is scheduled to be held on 10.02.2025 and 11.02.2025 on the basis of the petitioner's representation, dated 02.12.2024 submitted to the respondents.

2. The petitioner is the hereditary Trustee of the Arulmighu Sivasubramaniyar Temple, duly registered, vide Registration No.15/2022 in Survey No.25/2 situated at Thaiyur Village, Ginjee Taluk, in the name of Arulmigu Vembiyamman Koil Trust, Thaiyur and the Trust administration includes four Temples in the same village, i.e. (i) Arulmighu Vembiyamman Koil, (ii) Siva Subramaniyar Alayam, (iii) Baktha Anjaneyar Alayam and (iv) Selva Vinayagar Alayam.

3. The Temple is constructed by the petitioner and others at their own costs and their family members contributed huge amount and are also willing to do financial help for the common people in the Town. After completion of construction work, the petitioner had arranged Maha Kumbabishegam to be performed in the year 2025. The lawyer Mr.U.Venkatesan, who is the hereditary



W.P.No.38598 of 2024

Dharma Kharta of the Temple, and who belongs to the native of the same village, had built the Temple at his own expenses and installed idols on the Temple. In front of the Temple, Maha Mandapam is being built, which is made of stone, and laid the floor of the entire Temple with black-stone and erected new stone idols of Moolavar Sanctum Sanctorum and these had been completely done by his own funds.

4. After completion of the entire work of the Temple, finally, consecrations (Maha Kumbabhishegam) was arranged by the petitioner and the villagers and it was held on 07.02.2020 under the leadership of a former retired Judge of this Court and it was held in the presence of the hereditary Dharma Kartha of the Temple Mr.U.Venkatesan.

5. The annual Thaipoosa Festival is being held in the Temple by the Thaipoosa festival team of the Temple and the public of Thaiyur Village youth woman help groups, and the festival was conducted for many years with the help of the Police Department.

6. The team of the Temple passed a Resolution on 30.11.2024 to conduct the Thai Poosam festival on 10.02.2025 and 11.02.2025 by the Committee. Subsequently, the petitioner submitted a representation to the respondents on 02.12.2024 seeking permission and Police protection to conduct the Thai Poosa festival of Arulmighu Sivasubramaniyar Temple, Thaiyur Village, Ginjee Taluk, Villupuram District.



W.P.No.38598 of 2024

7. The Assistant Commissioner, Hindu Religious and Charitable Endowments (i.e. H.R. & C.E) Department, Villupuram sent a detailed inspection report to the Commissioner on 10.03.2020 in respect of the contribution made by the petitioner and others to the Temple works in the Village and similarly to the Inspector, H.R. & C.E. Department, Ginjee and later to the Assistant Commissioner, H.R. & C.E., Villupuram on 03.03.2020 in respect of the family members' activities and contribution to the various Temples in the village.

8. In the representation to the respondents, dated 02.12.2024 sent by Registered Post Acknowledgement Due, the petitioner is seeking for Police protection to conduct the Thai Poosam festival in Arulmighu Sivasubramaniyar Temple, Thaiyur Village, Gingee Taluk, Villupuram District. As the respondents- Police had not come forward to take any steps to grant Police protection on the petitioner's request, this Writ Petition is filed for the relief stated supra.

9. Heard both sides and perused the materials available on record.

10. Taking into account the averments made by the petitioner regarding the conduct of the festival in the village Temple, this Court directs the respondents to consider the representation of the petitioner, dated 02.12.2024, and pass orders, on merits and in accordance with law, as expeditiously as possible, by giving notice to the necessary private parties, if any, including the persons instrumental for conduct of the festival and hear them before passing any order on the said representation.



W.P.No.38598 of 2024

11. With the above observations and direction, this Writ Petition is disposed of.

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17.12.2024

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To

1. The Superintendent of Police,
Villupuram District,
Villupuram.
2. The Deputy Superintendent of Police,
Ginjee,
Villupuram District.
3. The Inspector of Police,
Ginjee Police Station,
Ginjee, Villupuram District.
4. The Public Prosecutor, High Court, Madras.



WEB COPY



W.P.No.38598 of 2024

P.VELMURUGAN, J

CS

W.P.No.38598 of 2024

17.12.2024

Page No.6/6