



**W.P(MD)No.5318 of 2024**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 06.03.2024**

**CORAM :**

**THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

**W.P(MD)No.5318 of 2024**

**Sakkamuthu @ Palpandi,**

**... Petitioner**

**Vs**

**1. The Superintendent of Police,  
Virudhunagar District.**

**2. The Deputy Superintendent Of Police,  
Sivakasi,  
Virudhunagar District.**

**3. The Inspector of Police,  
Sivakasi East Police Station,  
Sivakasi,  
Virudhunagar District.**

**4. Sakkamuthu,  
5. Sakkammal,**

**... Respondents**

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second Respondent to give police protection for conducting of Mahasivarathri Festival dated 08.03.2024 and 09.03.2024 at Arulmigu Easwaran Temple situated at Mela Pethulupatti Village, V.



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Chockalingapuram, Sivakasi Taluk, Virudhunagar District on the basis of the Petitioner's representation, dated 15.02.2024.

For Petitioner : Mr.S.Ramasamy  
For R1 to R3 : Mr.B.Thanga Aravindh  
Government Advocate (Crl.Side)

### **ORDER**

The learned Counsel appearing for the Petitioner submits that the Petitioner had filed this petition seeking Writ of Mandamus, directing the Respondents 1 to 3 to consider the representation of the Petitioner, dated 15.02.2024 to conduct Mahasivarathri Festival at Arulmigu Easwaran Temple situated at Mela Pethulupatti Village, V. Chockalingapuram, Sivakasi Taluk, Virudhunagar District.

2. It is the contention of the learned Counsel appearing for the Petitioner that the Respondents 4 and 5 are private parties, who had no claim or right regarding the temple festival. Their only objection is that the temple committee shall not put up any Pandhal in their property.

3.The third Respondent shall summon the Respondents 4 and 5 and enquire whether they have any objection in conducting the festival.



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If so, the Respondents 2 and 3 shall permit the Petitioner to conduct the festival without conducting any procession or putting up Pandhal in the property of the Respondents 4 and 5. The Petitioner shall give an undertaking to that effect to the Respondents 2 and 3. Only if the Petitioner's undertaking is accepted by the Respondents 4 and 5, the Petitioner may be permitted to celebrate the festival.

4.The Respondents 2 and 3 are directed to consider the representation of the Petitioner in the light of the circular issued by the Director General of Police, Tamil Nadu/Head of State Police Force, Chennai-4, in Rc.No.007301/General I(I)/2019, dated 09.04.2019.

5.With the above directions, this Writ Petition stands disposed of.

No costs.

**06.03.2024**

Index :Yes/No

Internet: Yes/No

LR

***Note: Issue Order Copy on 07.03.2024***



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To

1. The Superintendent of Police,  
Virudhunagar District.
2. The Deputy Superintendent Of Police,  
Sivakasi,  
Virudhunagar District.
3. The Inspector of Police,  
Sivakasi East Police Station,  
Sivakasi,  
Virudhunagar District.
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**SATHI KUMAR SUKUMARA KURUP, J.**

LR

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