



W.P.(MD) Nos.9632 and 9472 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 24.04.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)Nos.9632 and 9472 of 2024

W.P.(MD)No.9632 of 2024

Sakthivel

... Petitioner

Vs.

- 1.The District Collector
Ramanathapuram District.
- 2.The Superintendent of Police
Ramanathapuram District.
- 3.The Tahsildar
Rasasingamangalam Taluk,
Ramanathapuram District.
- 4.The District Public Health Officer,
Ramanathapuram District.
5. The Director
Fire and Rescue Services Department,
1/740-1, Mandabam Road,
Kathamba Nagar,
Ramanathapuram District.



W.P.(MD) Nos.9632 and 9472 of 2024

6.The Inspector of Police
Thiruvadanai Police Station,
Thiruvadanai,
Ramanathapuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents, herein to provide police protection Civil and Health Assistance to conduct the temple Kumbabishegam with all cultural activities like Valli Thirumanam Dance Drama and Annathanam on 25.04.2024 and 26.04.2024 in the precinct of the temple in pursuant to Kumbabhisegam / Consecration Ceremony of Arulmighu Valampuri Vinayagar Arulmighu Periyannayagi Amman Arulmighu Singamuga Mariamman Thirukovil situated in Thalakkavur Village Sevappettai Post R.S. Mangalam Ramanathapuram District by considering the petitioner's representation dated 02.04.2024 within a time frame as fixed by this Court.

For Petitioner : Mr.T.S.Venkat Ramana, Senior Counsel
for Ms.V.Janaki Devi

For Respondents : Mr.M.Sakthi Kumar, Govt. Advocate
for Respondents

W.P.(MD)No.9472 of 2024

Athimoolam

... Petitioner

Vs.

1.The District Collector
Kanyakumari District,
Kanyakumari.



W.P.(MD) Nos.9632 and 9472 of 2024

2. The Thasildhar
Thasildhar Office,
Thiruvadaanai.

3. The Deputy Superintendent of Police,
Office of the District Superintendent of Police,
Ramanathapuram District.

4. The Inspector of Police
Thiruvadaanai Police Station, Thiruvadaanai,
Ramanathapuram District.

5. Sakthivel

6. Thangarasu

7. Marimuthu

8. Muthu

9. Muniyandi

10. Sevugan

11. Kannadhasan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 2 to 4 to provide appropriate police protection to the petitioners life and his family members life in worshipping the deities namely Arulmigu Periyannayagi Amman Temple Arulmigu Valampuri Vinayagar Temple and Arulmigu Singamuga Mariamman Thirukovil in Thalakkavoor Village Sevvaipettai Post RS Mangalam Taluk Ramanathapuram District based on the petitioners representation dated 05.04.2024.



WEB COPY



W.P.(MD) Nos.9632 and 9472 of 2024

For Petitioner : Mr.K.Rajeswaran
For Respondents : Mr.M.Sakthi Kumar, Govt. Advocate
for Respondents 1 to 4
: Mr.T.S.Venkat Ramana, Senior Counsel
for Ms.V.Janaki Devi for R5

COMMON ORDER

The Thirupani Committee Member of Arulmighu Valampuri Vinayagar Arulmighu Periyannayagi Amman Arulmighu Singamuga Mariamman Thirukovil situated in Thalakkavur Village, Ramanathapuram District, filed the Writ Petition in W.P.(MD)No.9632 of 2024 seeking police protection to conduct the Kumbabishegam festival and also permission to conduct Valli Thirumanam Dance Drama and Annathanam on 25.04.2024 and 26.04.2024.

2. The Writ Petition in W.P.(MD)No.9472 of 2024 is filed by one Athimoolam, seeking police protection to worship the deities, Arulmigu Valampuri Vinayagar, Arulmigu Periyannayagi Amman and Arulmigu Singamuga Mariamman Thirukovil in Thalakkavoor Village, Ramanathapuram District, ie., the very same Temple.



W.P.(MD) Nos.9632 and 9472 of 2024

WEB COPY

3. Since both the writ petitions pertain to the very same temple, both of them are taken up together and are disposed of by this common order.

4. The learned Senior Counsel appearing for the petitioner in W.P. (MD)No.9632 of 2024 / Committee submitted that they have not discriminated anybody in participating in the Kumbabishegam festival and further assured that the petitioner in W.P.(MD)No.9472 of 2024, namely, Athimoolam and his family would be allowed to participate for the Kumbabishegam festival. He further submitted that the petitioner – Athimoolam has created some problem and therefore, they have moved the writ petition in W.P.(MD)No.9632 of 2024, seeking police protection.

5. The learned counsel for the petitioner in W.P.(MD)No.9472 of 2024 refuted the same and further assured that they will not create any problem in the temple festival.



W.P.(MD) Nos.9632 and 9472 of 2024

6. In view of the submissions made on either side, this Court issues the following directions:

(i) The petitioner in W.P.(MD)No.9742 of 2024 , viz., Athimoolam and his family members should be permitted to participate in the festival. He shall not create any problem and indulge in any other practice not conducive for the conduct of the Kumbabishegam.

(ii) In view of the Election Model Code of Conduct, the petitioner in W.P.(MD)No.9632 of 2024 is at liberty to approach the Assistant Returning Officer of that area seeking permission to conduct the festival (Kumbabishegam, Valli Thirumanam, cultural program).

(iii) In case, if the petitioner approaches the concerned Assistant Returning Officer, he shall consider and pass appropriate orders by imposing necessary conditions to ensure that there is no law and order problem and that the program is conducted without any obscene words.

(iv) In the event, if any police protection is needed, the respondent police shall also consider the same.



W.P.(MD) Nos.9632 and 9472 of 2024

9. With the above directions, these Writ Petitions are disposed of.

There shall be no order as to costs.

24.04.2024

NCC : Yes/No

Index : Yes/No

LS

Note: Issue order copy on **25.04.2024**

To

1.The District Collector

Ramanathapuram District.

2.The Superintendent of Police

Ramanathapuram District.

3.The Tahsildar

Rasasingamangalam Taluk,
Ramanathapuram District.

4.The District Public Health Officer,

Ramanathapuram District.

5. The Director

Fire and Rescue Services Department,
1/740-1, Mandabam Road,
Kathamba Nagar, Ramanathapuram District.

6.The Inspector of Police

Thiruvadanai Police Station,
Thiruvadanai,
Ramanathapuram District.



WEB COPY



W.P.(MD) Nos.9632 and 9472 of 2024

B.PUGALENDHI, J.

LS

To :

1. The Assistant Returning Officer,
Ramanathapuram.

W.P.(MD)Nos.9632 and 9472 of 2024

24.04.2024