



W.P.No.7284 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.7284 of 2025

and W.M.P.Nos.8102, 8103 and 8104 of 2025

S.Sivakumar

... Petitioner

-Vs-

1. The District Collector,
Cuddalore District,
Cuddalore.
2. The Revenue Divisional Officer,
Cuddalore Revenue Division,
Cuddalore District.
3. The Cuddalore Taluk Administrative Magistrate
-cum-Revenue Tahsildar,
Cuddalore Taluk,
Cuddalore.
4. The Inspector of Police,
Mudhunagar Police Station,
Cuddalore.
5. B.Balashanmugam
6. B.Thenbalasundar
7. S.Viji

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the relating to impugned order passed by the third respondent made in



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Na.Ka.No.AA4/57/2025 dated 06.02.2025 and to quash the same and consequently direct the third respondent to provide permission to conduct the festival in the Arulmigu Srisubramaniyar @ Sribalasubramiyan temple situated at Chinnapachayankuppam (Malumiyarpet), Cuddalore Taluk and District by the petitioner.

For Petitioner	: Mr.C.Prabakaran
For R1 to R3	: Mr.P.Balathandayutham Special Government Pleader
For R4	: Mr.A.Gopinath Government Advocate (Crl.side)

ORDER

This Writ Petition has been filed challenging the order passed by the third respondent dated 06.02.2025, thereby rejected the request made by the petitioner to conduct Thaipoosam festival in the Arulmigu Srisubramaniyar @ Sribalasubramiyan temple situated at Chinnapachayankuppam (Malumiyarpet), Cuddalore Taluk and District.

2. The petitioner and his ancestors are the founders of the Arulmigu Srisubramaniyar @ Sribalasubramiyan temple situated at Chinnapachayankuppam (Malumiyarpet), Cuddalore Taluk and District, even prior to 100 years. The petitioner is a hereditary Trustee and Administrator of the temple. While being so, the father of the respondents 5 and 6 is also claiming the administration of the Temple. Therefore, the father of the



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petitioner filed a suit in O.S.No.460 of 1998, on the file of the District Munsif Court, Cuddalore as against the father of the respondents 5 and 6 herein for permanent injunction restraining from collecting fees in the name of the Temple and also not to interfere in the administration of the Temple. The said suit was decreed by the Judgment and Decree dated 15.11.2002. It was also confirmed in appeal suit in A.S.No.7 of 2003. Now, the respondents 5 to 7, once again are interfering with the administration of the Temple and threatening the petitioner with dire consequences.

3. In fact, on the complaint, FIR has been registered as against the respondents 5 to 7 herein in Crime No.319 of 2014 for the offences punishable under Sections 448 and 506(i) IPC. Thereafter, in the year 2017, the 7th respondent filed a suit in O.S.No.122 of 2017 as against the petitioner's father for permanent injunction restraining him from interfering with the management of the Temple. However, the said suit was dismissed for default. Even then, the respondents 5 to 7 herein are disturbing the peaceful running and administration of the Temple. Therefore, the petitioner's father sent a representation. However, it was not considered by the respondents 1 to 4 herein. In the meanwhile, another person one Raja is also claiming to be a

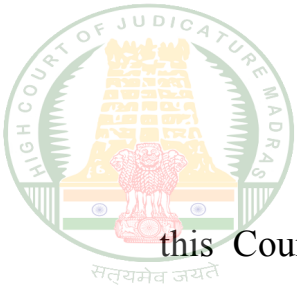


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Treasurer of the Temple, lodged a complaint before the Deputy Superintendent of Police, Cuddalore. Meanwhile, the 7th respondent also filed an application in I.A.No.92 of 2024 to restore the suit in O.S.No.122 of 2017 and it is pending. Therefore, now, the petitioner has submitted a representation before the fourth respondent to take appropriate action as against the respondents 5 to 7 herein and the same was referred before the third respondent to initiate proceedings under Section 145 of Cr.P.C.

4. The third respondent conducted a detailed enquiry and passed an order dated 06.02.2025, thereby directed both the parties not to conduct Thaipooosam festival in the Arulmigu Srisubramaniyar @ Sribalasubramiyar temple situated at Chinnapachayankuppam (Malumiyarpet), Cuddalore Taluk and District.

5. Now, the date of Thaipooosam also got expired and nothing survives in the impugned order. That apart, either the petitioner or respondents 5 to 7 herein did not file any suit for declaration declaring their respective rights over the Arulmigu Srisubramaniyar @ Sribalasubramiyar temple situated at Chinnapachayankuppam (Malumiyarpet), Cuddalore Taluk and District for administration etc., Therefore, the third respondent rightly passed the order and



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this Court finds no infirmity or illegality in the order passed by the third respondent made in Na.Ka.No.AA4/57/2025 dated 06.02.2025. The petitioner and the respondents 5 to 7 herein are at liberty to approach the civil Court to ascertain their right over the temple by way of suit for declaration.

6. Accordingly, this writ petition stands dismissed. Consequently, connected Miscellaneous petitions are closed. No costs.

03.03.2025

Internet: Yes
Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
mn



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G.K.ILANTHIRAIYAN. J.

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To

1. The District Collector,
Cuddalore District,
Cuddalore.
2. The Revenue Divisional Officer,
Cuddalore Revenue Division,
Cuddalore District.
3. The Cuddalore Taluk Administrative Magistrate
-cum-Revenue Tahsildar,
Cuddalore Taluk,
Cuddalore.
4. The Inspector of Police,
Mudhunagar Police Station,
Cuddalore.
5. The Public Prosecutor,
High Court, Madras.

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