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W.P.CRL.No.709 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2025

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THE HONOURABLE MR JUSTICE N.SATHISH KUMAR

**W.P.CRL.No.709 of 2025
and W.P.M.P.CRL.No.329 of 2025**

S.Ramachandran

Petitioner

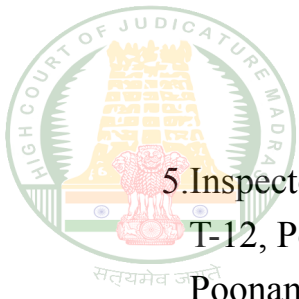
Vs

1.Revenue Divisional Officer
Revenue Divisional Office,
Thiruvallur District – 602 003.

2.Commissioner of Police,
Police Commissionerate,
Avadi, Chennai,
Tamil Nadu - 600 054.

3.Deputy Commissioner of Police,
Avadi Police Commissionerate,
First Floor,
Ambatthur Saragam Old Municipality Building,
Avadi, Chennai - 600 054.

4.Assistant Commissioner of Police,
Poonamalle Trunk Road,
Poonamalle, Chennai – 600 056.



5. Inspector of Police,
T-12, Police Station,
Poonamallee, Chennai - 600 056.

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6. The Poonamallee Big Mosque,
Rep by its President,
Poonamallee, Chennai - 600 056.

Respondent(s)

PRAYER

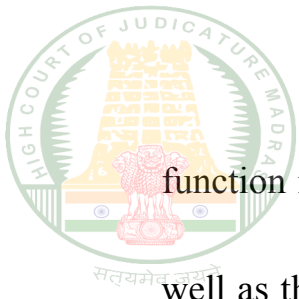
Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandas by directing the 1st respondent herein to permit the annual Aadi Aavani festival of the 'Arulmigu Madurai Veeran Shri Selvi Mariamman Temple', situated at Mulla thottam 3rd street, Poonamallee between 29.08.2025 and 31.08.2025 and consequently direct the respondents 2 to 5 to provide protection for the same festival.

For Appellant(s): Mr.MSanthanaraman

For Respondent: Mr.K.M.D.Muhilan for R1 to R5
Additional Public Prosecutor

ORDER

The petitioner herein, who is carrying on a business in the land belongs to the sixth respondent mosque, has consecrated a temple in the leased portion of the land several years ago. Every year, he is celebrating Aadi festival. This



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function is being conducted harmoniously by members of the Hindu religion as well as the Muslim religion. However, for the reasons best known, in the year 2022-2023, there was some objection by the management of the sixth respondent which has led to certain restrictions for the petitioner to conduct the festival. Apprehending that in this year, there may be some issue, since the sixth respondent has instituted a suit in O.A.No.58 of 2024 on the file of the Tamil Nadu Waqf Tribunal, Chennai for evicting the petitioner herein and to remove the temple consecrated by him; alleging that the temple activities are illegal activities. Hence, the petitioner is before this Court seeking permission of the first respondent to conduct Aadi festival on 29.08.2025 and 31.08.2025 and protection from the respondent Nos.2 to 5.

2.Learned Additional Public Prosecutor submits that till previous year, the "Kazhuvadi Pujai and Kavadi Pujai of Muthu Veeraswamy idol" has been conducted peacefully, in which, the members of both the communities used to participate. However, last year, there was serious objection by the members of the sixth respondent mosque. Therefore, to avoid disturbance to the public

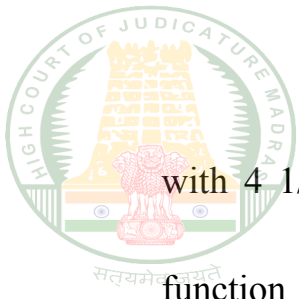


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peace, the Police permitted the petitioner and his family members alone to conduct the festival without participation of the general public. This year, the petitioner has sought for permission which was objected by the sixth respondent and therefore, the petitioner was asked to conduct the festival with his family members and not to invite outsiders.

3.Learned Counsel for the petitioner states that the said undertaking on 05.08.2024 was obtained under compulsion by the Police. Under the guise of threat to public peace, the respondent Police has yielded to the pressure of the sixth respondent who is trying to interfere with the religious freedom of worship by the petitioner and the villagers.

4.On going through the records and the submissions made by the learned Counsel for the petitioner as well as the learned Additional Public Prosecutor for the respondent Police and the Original Application filed by the sixth respondent before the Waqf Board, it is a clear case where the petitioner has been a tenant under the sixth respondent for a long time and there is a temple



with 4 1/2 feet height idol called as "Muthu Veeraswamy". The Aadi month function of the temple is being conducted for several years, peacefully and harmoniously. Only last year, there had been some problem with the landlord and the tenant which has led to filing of eviction petition before the Tamil Nadu Waqf Tribunal and the same is pending.

5.This Court is of the view that till an order is passed by the Waqf Tribunal in the eviction petition, the right of the petitioner herein, to be in possession and enjoyment of the property which he has taken on lease under the sixth respondent, cannot be prevented. If the convention of the participation in the festival by the villagers has been followed by so many years, that cannot be prevented by any other person who has different religious faith. Therefore, mere pendency of an eviction petition cannot be a reason to prevent the faith of the petitioner or the conduct of religious ceremonies, subject to maintenance of law and order.



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6. Therefore, this Court is of the view that the petitioner must be permitted to celebrate the festival of Sri Muthu Veeraswamy at Mulla thottam, Poonamalle without causing any disturbance to the public peace and tranquility. Particularly, they shall not use any megaphones or loud speakers. The petitioner shall also ensure that only the family members in and around the village shall participate in the festival and not far off outsiders. The petitioner shall give an undertaking to the respondent Police that he will ensure a peaceful conduct of the festival.

7. With the above directions, this Writ Petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

28.08.2025

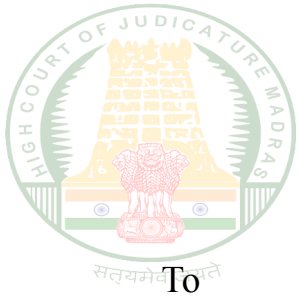
Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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Note: Issue order copy on 29.08.2025



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- To
- 1.The Revenue Divisional Officer,
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 - 2.The Commissioner of Police,
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First Floor,
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 - 5.The Inspector of Police,
T-12, Police Station,
Poonamallee,
Chennai - 600 056.
 - 6.The Public Prosecutor,
High Court of Madras.



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N.SATHISH KUMAR, J.

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28.08.2025

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