

W.P.(MD) No.3084 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2025

CORAM

THE HONOURABLE **MR.JUSTICE P.DHANABAL**

W.P(MD)No.3084 of 2025

K.Balasubramanian

... Petitioner

Vs

1. The Revenue Divisional Officer,
Kovilpatti Sub Division,
Kovilpatti,
Thoothukudi District.
2. The Deputy Superintendent of Police,
Kovilpatti Sub Division,
Kovilpatti,
Thoothukudi.
3. The Inspector of Police,
Nalatinputhur Police Station,
Nalatinputhur,
Thoothukudi District

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 2nd and 3rd respondents to grant permission and provide adequate police protection for conduct the temple festival in connection with the “Arulmigu Vaiyapuri Velan Temple Thaipooosam Festival” at Saravanapuram Village, Kayathar Taluk, Thoothukudi District to be held on 11.02.2025 by considering the petitioner representation dated



23.12.2024.

WEB COPY



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For Petitioner : Mr.M.Natarajan

For Respondents :

For R1 : Mr.M.Senthil Ayyanar
Government Advocate (Civil Side)

For R2 & R3 : Mr.R.M.Anbunithi
Government Advocate (Crl. Side)

ORDER

This writ petition has been filed by the petitioner to direct the 2nd and 3rd respondents to grant permission and to provide police protection for the Temple Festival in connection with “Arulmigu Vaiyapuri Velan Temple Thaiposam Festival” at Saravanapuram Village, Kayathar Taluk, Thoothukudi District to be held on 11.02.2025 by considering the petitioner's representation dated 23.12.2024.

2. According to the petitioner, his predecessors constructed a Vaiyapuri Temple and Mandapam with erected Murugan “Vel” situated in S.F.No.109/1 and S.F.No.113/4 in Saravanapuram Village, Kayathar Taluk and conducting pooja for more than century. Thereafter, with the help of family members, they conducted “Kumbaabishekam” in the year 2000. Thereafter, the petitioner's predecessors appointed one person, namely Kuruppasamy for maintenance of the temple and to do the



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agricultural works in the temple lands. Taking advantage of the same, the wife of Karuppasamy namely Durgaiammal has got patta for the temple lands. Thereafter, he made a representation before the concerned authorities on 19.04.2022 and the same is pending for adjudication. While so, the petitioner made a representation to the 3rd respondent on 23.12.2024 seeking permission to use the mike set and also provide protection to conduct temple festival to be held on 11.02.2025 through speed post. Thereafter, C.S.R.No.18 of 2025 was issued. Therefore, the petitioner has now filed this petition to consider the representation dated 23.12.2024.

3. The learned Government Advocate (Civil Side) for the 1st respondent would submit that they have not received any representation so far.

4. The learned Government Advocate (Criminal Side) appearing for the 2nd and 3rd respondents would submit that there are rival groups claiming the rights of the temple and last year also, the same problem arose and thereafter, the petitioner was permitted to worship for a particular period, but the same has not been complied by the petitioner.



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Therefore, he strongly objected to conduct festival without resolving the dispute between the parties.

5. Considering the representations on either side and since the 1st respondent has not received any copy of the petitioner's representation dated 23.12.2024, it is appropriate to direct the petitioner to serve a copy of the representation dated 23.12.2024 by today itself. On receipt of such representation, the 1st respondent can pass orders on 07.02.2025 after hearing the both side interested parties in the temple and the 1st respondent shall permit the petitioner by allotting a particular time to conduct pooja. The petitioner is also directed to cooperate for the enquiry to be conducted on 07.02.2025.

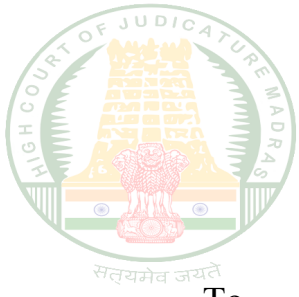
6. With the above said observations and directions, this writ petition is disposed of. No costs.

04.02.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
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Note:

The Registry is directed to issue a copy of this order today.



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To

1. The Revenue Divisional Officer,
Kovilpatti Sub Division,
Kovilpatti,
Thoothukudi District.
2. The Deputy Superintendent of Police,
Kovilpatti Sub Divisionk
Kovilpatti,
Thoothukudi.
3. The Inspector of Police,
Nalatinputhur Police Station,
Nalatinputhur,
Thoothukudi District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

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The Registry is directed to issue a copy of this order today.

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04.01.2025