



W.P.(MD)No.3403 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2025

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THE HON'BLE MR.JUSTICE P.DHANABAL

W.P.(MD)No.3403 of 2025

Melailanthaikulam Sri Yanaimel Iyyanar
Thirukovil Paramarippu Committee
Rep. by the Secretary
V.Balamurugan
No.76/5, Dolldurai bangla Street
Kovilpatti,
Thoothukudi District

... Petitioner

Vs.

1. The Superintendent of Police
Tirunelveli District
2. The Inspector of Police
Devarkulam Police Station
Tirunelveli District
3. Vallikannu Chettiyar
4. Murugan
5. S. Gurusamy
6. Kumareswaran Ayyanar
7. V. Kannan
8. A. Pitchaiah

***(Rrs 6 to 8 impleaded vide order of this Court
dated 24.02.2025 in WMP(MD) No.3630 of 2025)***

..Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, seeking a Writ of Mandamus directing the respondents 1 and 2 to accord adequate police protection for the eve of Panguni Uthgiram festival which is scheduled on 11.04.2025 and to other related events to be taken place in Melailanthaikulam Sri Yanaimel Iyyanar Thirukovil, Manur Taluk, Tirunelveli District by the Melailanthaikulam Sri Yanaimel Iyyanar Thirukovil Paramarippu committee.

For Petitioner : Mr.R.Anand

For Respondents : Mr. M.Sakthi Kumar
No.1& 2 Government Advocate(civil side)
Nos.3 to 8 : Mr.G.Thalaimutharasu

ORDER

The prayer sought for in the present writ petition is to direct the respondents 1 and 2 to accord adequate police protection for the eve of Panguni Uthgiram festival which is scheduled on 11.04.2025 and to other related events to be taken place in Melailanthaikulam Sri Yanaimel Iyyanar Thirukovil, Manur Taluk, Tirunelveli District by the Melailanthaikulam Sri Yanaimel Iyyanar Thirukovil Paramarippu committee.



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2. The learned counsel appearing for the petitioner would submit that the petitioner is the Secretary of the association namely Melailanthaikulam Sri Yanaimel Iyyanar Thirukovil Paramarippu committee and it was formed to maintain the temple and registered in the year 2009. The petitioner committee is administering the temple for long period . While so, the private respondents wanted to make a show off in the village during the festival and they expected first honour. Already civil suit in O.S. No. 159 of 2008 was filed on the file of the Additional District Munsif Court, Sankarankovil and the same was disposed of by recording the compromise. In the compromise deed this petitioner is also one of the party. By arming with the decree when arrangements were made with regard to the celebration of panguni uthiram the private respondents used to cause hindrance and demand the first honour of the said temple. Now the petitioner want to conduct festival on 11.04.2025 for which necessary arrangements are middle way, therefore for seeking police protection the petitioner has sent a representation to the respondents 1 and 2 but the same was not considered, hence the present petition has been filed.



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3. The learned Government Advocate(Crl.Side) appearing for the respondents 1 and 2 would submit that there are disputes pending between the parties in respect of maintenance of temple. Therefore if both the parties are agreed to conduct festival without affecting law and order issue they have no objection to grant police protection

4. Today the learned counsel appearing for the respondents 3 to 5 have filed an impleading petition to implead the respondents 6 to 8 as proposed respondent and the same was also allowed. These petitioners are no way connected with the temple. Even according to them they are maintaining the temple and the petitioner has no *locus standi* to celebrate the festival. Infact as per the decree in suit in O.S. No. 159 of 2008 pending on the file of the Additional District Munsif Court, Sankarankovil these petitioners are also one of the party in the compromise petition and thereby they are also bound to the decree of the case in O.S. No. 159 of 2008. These proposed respondents alone used to conduct festival for every year and now the petitioner is projecting as though he is conducting the festival and filed this petition to grant police



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protection. Therefore the petitioner has no *locus standi* for seeking relief as sought for in the writ petition

5. Heard both sides and perused the materials available on record.

6. In this case the petitioner filed this petition under the capacity of Secretary of Melailanthaikulam Sri Yanaimel Iyyanar Thirukovil Paramarippu committee for police protection on the eve of Panguni Uthgiram festival which is scheduled on 11.04.2025. Private respondents denied the rights of the petitioner to conduct the festival. The respondents 1 and 2 also stated that there are some issues in respect of conducting the festival and if both the parties agreed for smooth conduct of festival they have no objection. Since the prayer of the petitioner is only for police protection on the eve of panguni uthiram celebration, this Court without going into merits on the rights of the parties directed the parties to conduct the festival in a peaceful manner without affecting the law and order issue.



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7. The learned counsel appearing for the private respondents would submit that already they got decree to conduct the festival

8. The learned counsel appearing for the petitioner would submit that he is not party to the proceedings and it is not binding upon the petitioner.

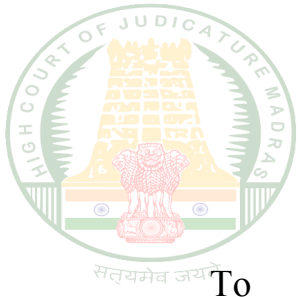
9. While so, both the parties can approach appropriate forum to establish their rights. If any decree is obtained by the private respondents in their favour they can take appropriate steps in the manner known to law, if any breach to the conditions of the decree.

10. With the above direction, the Writ Petition stands disposed of.

No costs.

24.02.2025

NCC : Yes / No
Index : Yes / No
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To
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1. The Superintendent of Police
Tirunelveli District
2. The Inspector of Police
Devarkulam Police Station
Tirunelveli District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P.DHANABAL, J.

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