



W.P(MD)No.3549 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD)No.3549 of 2025

K.Paramasivan

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Deputy Superintendent of Police,
Tirunelveli Rural Sub Division,
Tirunelveli District.

3.The Inspector of Police,
Gangaikondan Police Station,
Tirunelveli District.

4.K.Arunachalapillai

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to grant permission and protection for the conduct of Maha Sivarathiri Festival of the temple namely "Arulmigu Angala Eshwari Amman Thirukovil" situated at Gangaikondan Village, Tirunelveli District scheduled to be held on



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18.02.2025 to 27.02.2025 based on the petitioner's representation, dated 24.01.2025 and pass such further or other orders as this Court.

For Petitioner : Mr.N.Ponkarthikeyan
For R-1 to R-3 : Mr.R.M.Anbunithi
Additional Public Prosecutor
For R-4 : Mr.K.Kaleeswaran

ORDER

The present petition has been filed for issuance of Writ of Mandamus directing the respondents 1 and 2 to grant permission and protection for the conduct of Maha Sivarathiri Festival of the Temple, namely, "Arulmigu Angala Eshwari Amman Thirukovil" situated at Gangaikondan Village, Tirunelveli District scheduled to be held on 18.02.2025 to 27.02.2025 based on the petitioner's representation, dated 24.01.2025.

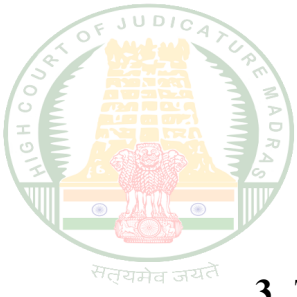
2. The learned Counsel appearing for the petitioner would submit that the Temple, namely, "Arulmigu Angala Eshwari Amman Thirukovil" situated at Gangaikondan Village, Tirunelveli District and Arasaradi Vinayagar Meenakshi Chokkalingeswarar Temple situated at Uthumalai Village are



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belongs to Uthumalai Saiva Vellalar Community people. The petitioner is the president of the said Society and the said Temple is administered by Saiva Vellalar Samudhayanm, Uthumalai for more than 300 years. The fourth respondent is his elder brother. The Maha Sivarathiri festival is being celebrated by the villagers. Earlier, the fourth respondent failed to furnish the accounts of the said Temple. Therefore, there are differences of opinion that occurred between the parties. The fourth respondent was expelled from the administration of the Temple. Therefore, now the fourth respondent attempted to conduct the Maha Sivarathiri festival by ignoring a group of Saiva Vellalar Community, Uthumalai and also prevented the petitioner from worshipping the deity during the Temple festival. Thereafter, they approached the third respondent police and as per the advice, the said function was conducted. This year also, they scheduled to celebrate the Maha Sivarathiri from 18.02.2025 to 27.02.2025 and also they gave a representation before the third respondent on 24.01.2025. However, the second and third respondents have orally instructed to get orders from the Court. Hence, the petitioner has filed this petition.



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3. The learned Government Advocate appearing for the respondents 1 to 3 would submit that already the representation of the petitioner was considered and the same was closed by advising the parties to approach the civil Court to get appropriate remedy.

4. The learned Counsel appearing for the fourth respondent would submit that he is also one of the deity of the Uthumalai Saiva Vellalar Community and he already filed a petition for the same relief not to disturb the worship of the fourth respondent by the petitioner and he also made a representation before the respondents 2 and 3 but they have closed the petition to seek remedy before the civil Court.

5. This Court had heard both sides and perused the materials available on record.

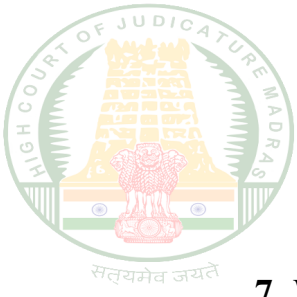
6. It is an admitted fact that the said Arulmigu Angala Eshwari Amman Thirukovil situated at Gangaikondan Village, Tirunelveli District belongs to petitioner Community people and the fourth respondent also the Uthumalai Saiva Vellalar community. There is a difference of opinion arose between the



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parties in respect of conducting the festival. Therefore, they approached the respondents 2 and 3. They advised the parties to approach the civil Court in respect of their rights. However, both the petitioner as well as the fourth respondent blamed each other and sought for police protection. Since there is a dispute in respect of the rights of the parties they have to approach the appropriate civil forum to establish their rights. However, in order to worship the Temple on account of Maha Sivarathiri, both parties are directed not to cause any disturbance to the worship of the public as well as the petitioner and the fourth respondent and they have to maintain law and order. If any party involved in any kind of unlawful activities, either parties can approach the police by way of lodging complaint. If any complaint lodged by either parties, the third respondent is directed to take appropriate action in accordance with law after proper enquiry. Therefore, both the parties can conduct festival in a peaceful manner without causing disturbance to each other.



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7. With the above said observations, this writ petition stands disposed of.

There shall be no order as to costs.

10.02.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

- 1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 2.The Deputy Superintendent of Police,
Tirunelveli Rural Sub Division,
Tirunelveli District.
- 3.The Inspector of Police,
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P.DHANABAL, J.

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