



W.P(MD)No.6833 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2025

CORAM :

THE HON'BLE MR.JUSTICE P.DHANABAL

W.P(MD)No.6833 of 2025

A.Arumuganayinar

... Petitioner

Vs

**1. The Superintendent of Police,
Office of Superintendent,
Tuticorin District.**

**2. The Inspector of Police,
Thattaparai Police Station,
Tuticorin.**

3. A.Thalavai Pillai

4. M.Subbaiah

... 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 to the petitioner to conduct Kodai Festival of Arulmigu Akkini Muthamman Temple from 18.03.2025 and 25.03.2025 situated in S.No. 1917/2 in Keelachekkarakudi, Srivaikuntam Taluk, Tuticorin District by considering the petitioner's



W.P(MD)No.6833 of 2025

representation dated 10.03.2025 within time frame fixed by this Court.

WEB COPY

For Petitioner : Mr.J. Senthil Kumaraiah,

For R1 and R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

For R3 : Mr.S.Kumar

ORDER

This Writ Petition has been filed seeking a direction to the respondents 1 and 2 to grant permission to the petitioner to conduct Kodai Festival of Arulmigu Akkini Muthamman Temple on 18.03.2025 and 25.03.2025 situated in S.No. 1917/2 in Keelachekkarakudi, Srivaikuntam Taluk, Tuticorin District by considering the petitioner's representation dated 10.03.2025.

2. According to the petitioner, his family deity is Arulmigu Sri Akkini Muthamman Temple situated at Keelachekkarakudi, Srivaikuntam Taluk, Tuticorin District. The said temple was established by the ancestors of the petitioner. Due to some misunderstanding between the parties, no festival was conducted for the past ten years and



W.P(MD)No.6833 of 2025

thereby, the third respondent filed a writ petition in W.P(MD)No.16299 of 2021 for conducting festival and there was some settlement between the parties and as per the compromise memo, the third respondent descendants would conduct the Kodai festival on the second Tuesday in the month of Vaikasi every year and the fourth respondent descendants would conduct the Kodai festival on the third Tuesday of Chithirai month every year and they themselves appointed some persons as Poosari, Dharmakarthas and Administrator of the said Temple. Therefore, recording the compromise memo, the said writ petition was disposed on 04.12.2023. The other legal descendants of the temple did not know about the said compromise. In order to resolve and reduce multiple issues and also the welfare of the temple, the legal descendants of the members of the petitioner decided to conduct the Kodai festival during the second Wednesday in the month of Panguni every year. Therefore, the petitioner filed a writ petition in W.P(MD)No.5736 of 2024 and the same was allowed on 18.03.2024. Based on that order, last year, they conducted the festival. While so, this year they decided to conduct the Kodai festival on 25.03.2025 and to that effect, they also sent the representation, dated 10.03.2025 to the second respondent, but the same has not been considered. Hence this petition.



W.P(MD)No.6833 of 2025

WEB COPY

3.The learned Additional Public Prosecutor appearing for the respondent police would submit that there are two rival groups claiming rights over the temple for worshipping the deity and to conduct the Kodai festival. Therefore, the private respondents are raising objections based on the compromise memo recorded in this Court. However, the petitioner's representation is under consideration and the same will be considered and disposed of within a period of two days.

4.The learned Counsel appearing for the third respondent would submit that already the matter has been settled between the parties and as per the settlement, Periya Raja Pillai family has to conduct festival in the month of Chithirai and the Chinna Raja Pillai family has to conduct festival in the month of Vaikasi. The petitioner comes under the Chinna Raja Pillai family. Therefore, he has to conduct the festival in the month of Vaikasi. But strangely, the petitioner decided to conduct the festival in the month of Panguni. If the petitioner is allowed to conduct the festival, it will affect the administration of the temple and will dilute the compromise arrived at between the parties. Hence he strongly objected to grant permission for conducting the festival as prayed for.



W.P(MD)No.6833 of 2025

WEB COPY 5.Considering the limited scope of the prayer sought for in this petition, this Court, without even issuing notice to the fourth respondent, is inclined to pass orders.

6.According to the petitioner, he decided to conduct the Kodai festival in the clan deity in Arulmigu Akkini Muthamman Temple situated at S.No. 1917/2 in Keelachekkarakudi, Srivaikuntam Taluk, Tuticorin District on 18.03.2025 and 25.03.2025. But the third respondent is causing disturbance to conduct the festival. Therefore, the petitioner sent the representation, dated 10.03.2025, but the same has not been considered. According to the respondents, already the matter has been settled and the parties have entered into compromise in W.P(MD)No.16299 of 2021, however, breaching the terms of the compromise, the petitioner wants to conduct the festival.

7.There are difference of opinion between the parties in respect of conducting festival and already this Court recorded the compromise arrived at between the parties. Even thereafter, last occasion, the petitioner filed a writ petition before this Court and he was allowed to



W.P(MD)No.6833 of 2025

conduct the festival. While so, it is for the second respondent to take a decision in this regard, to consider the representation of the petitioner, in the manner known to law.

8. Accordingly, the second respondent is directed to take action upon the petitioner's representation, dated 10.03.2025, within a period of **two days** from the date of this order in accordance with law. If any parties indulge in any criminal activity, the second respondent is at liberty to take appropriate action in the manner known to law.

9. With the above observations and direction, this Writ Petition is disposed of.

14.03.2025

Internet : Yes
Index : Yes/No
NCC : Yes/No
LR

Note: Issue Order copy on 14.03.2025



W.P(MD)No.6833 of 2025

WEB COPY To

1. The Superintendent of Police,
Office of Superintendent,
Tuticorin District.
2. The Inspector of Police,
Thattaparai Police Station,
Tuticorin.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P(MD)No.6833 of 2025

P.DHANABAL, J.

LR

W.P(MD)No.6833 of 2025

14.03.2025