



W.P.(MD) NO.8383 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD) No.8383 of 2025

M.Sankararaman

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Sathankulam Sub Division
Sathankulam,
Thoothukudi District.

3.The Inspector of Police,
Magnanapuram Police Station,
Magnanapuram
Thoothukudi District.

4.Ravirajan
5.Paun Pandi

... Respondents

PRAYER: Wri Petition filed under Section 226 of Constitution of India for a Writ of Mandamus to direct the respondents 1 to 3 not to grant any permission to the 4th and 5th respondents to conduct the cultural or any other programme in Arulmigu Sri Illangudi Sastha Temple, located in



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Thaaivilai, Semmarikulam Village, Thoothukudi District by considering the petitioner's representation, dated 12.03.2025.

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For petitioner : Mr.K.Muthurakkan

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl.Side) for R1 to R3
Mr.P.Senguttuarasan for R4

ORDER

This petition is filed by the petitioner to direct the respondents 1 to 3 not to grant permission to permit the respondents 4 and 5 to conduct cultural programme in Arulmigu Sri Illangudi Sastha Temple Thoothukudi, located in Thaaivilai, Semmarikulam Village, Thoothukudi, by considering the petitioner's representation, dated 12.03.2025.

2. The learned counsel for the petitioner would submit that the petitioner is the trustee of the above said temple and there is a dispute in respect of the administration of the temple. Now, the respondents 4 and 5 are decided to conduct festival by excluding the petitioner and also they approached the respondents 1 to 3 for conducting cultural programme. To that effect, they sent a representation, dated 12.03.2025 for not to consider



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the representation of the respondents 4 and 5 and the same has not been considered. Hence, the petitioner filed this petition.

3. The learned Additional Public Prosecutor (Crl.Side) for the respondents 1 to 3 would submit that already there is a dispute between the parties in respect of the administration of the temple, however, they also stated that no any objection to conduct festival. Now, the petitioner sent a representation not to conduct any cultural programme. The said representation is still pending. They will conduct enquiry and dispose of the same within one week.

4. The learned counsel for the fourth respondent would submit that there is a dispute between the parties in respect of the administration of the temple. The petitioner also filed a suit in O.S.No.34 of 2024, on the file of the District Munsif Court, Thiruchandur for declaration of hereditary trustee of the temple and the same is also pending. Therefore, the Civil Court has to take appropriate decision in accordance with law in respect of the hereditary trustee. In the meantime, the village people want to conduct the festival and they decided to conduct cultural programme of Adal Padal. Therefore, they sought permission of the respondents 1 to 3.



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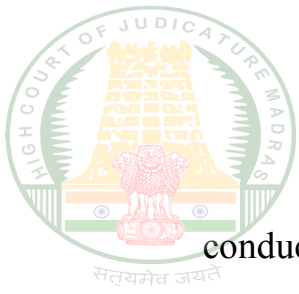
Therefore, the right of the petitioner has to be decided by the Civil Court.

Now, the petitioner cannot seek direction not to conduct cultural programmes. Therefore, the petition is liable to be dismissed.

5. According to the petitioner, he is the hereditary trustee of the temple. Now, the villagers, without his presence, decided to conduct cultural programme and also, he filed a suit before the learned Judicial Magistrate, Thiruchendur in O.S.No.34 of 2024 and the same is pending.

6. According to the fourth respondent, the petitioner is not a hereditary trustee of the temple. The petitioner also filed a suit and the suit is pending. Therefore, the Civil Court is the competent forum to decide the trusteeship. Now, the villagers want to conduct festival. In order to stop the cultural programme, he filed this petition.

7. This Court perused the entire records and there is no dispute in respect of conducting festival and only grievance of the petitioner is that he is the hereditary trustee of the temple. To that effect, he has filed a suit in O.S.No.34 of 2024 and the same is pending. While so, the rights of the parties can be decided by the Civil Court. Now, the temple festival can be



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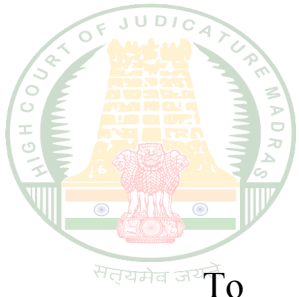
conducted in a peaceful manner and the respondents 1 to 3 have to ensure safety of the people.

8. According to the fourth respondent, he also sent a representation for granting permission to conduct festival and the cultural programmes and the same is also pending. Therefore, it is for the second respondent to consider the representation of the petitioner as well as the fourth respondent and dispose of the same within one week from the date of this order.

9. It is needless to mention that if the villagers want to conduct festival and to conduct cultural programme, the same can be considered favourably by imposing some conditions.

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NCC : Yes/No
Index : Yes / No
Internet : Yes / No
apd



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Madurai Bench of Madras High Court, Madurai.



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P.DHANABAL,J

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