



W.P(MD)No.8454 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD)No.8454 of 2025

K.Sundararajan

... Petitioner

Vs

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

2. The Deputy Superintendent Of Police,
Sivagangai District,
Sivagangai.

3. The Inspector of Police,
Palaiyanur Police Station,
Tiruppuvanam Taluk,
Sivagangai District.

4. The Tahsildar,
Tahsildar Office Campus,
Tiruppuvanam Taluk,
Sivagangai District.

5. Sathishkumar

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Certiorarified Mandamus calling for the records of the impugned rejection order passed by the 3rd respondent dated 19.03.2025 herein and quash the same and consequently direct the respondents police to give permission and provide police protection to conduct the said Varudabisegam festival from 01.04.2025 to 02.04.2025 in a peaceful manner for our kulatheivam Gods by considering the petitioners representation dated 17.03.2025 within a stipulated time as may fix by this Court.

For Petitioner : Mr.M.Jothivel

For Respondents : Mr.R.M.Anbunithi (R1- R3)
Additional Public Prosecutor

Mr.M.Senthil Ayyanar (R4)
Government Advocate

Mr.P.Arumugam (R5)

ORDER

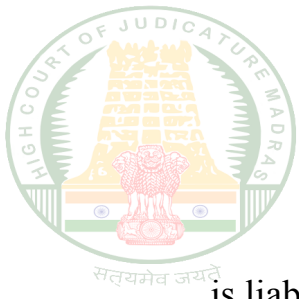
The present writ petition has been filed to challenge the impugned rejection order passed by the 3rd respondent dated 19.03.2025 and to direct the respondents police to give permission and provide police protection to conduct the said Varudabisegam festival from 01.04.2025 to 02.04.2025 in a peaceful manner by considering the petitioner's representation, dated 17.03.2025.



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2. According to the petitioner, there is a Temple situated at Sivanankulam, Vayalcheri Post, Thiruppuvnam Thaluk, namely Arulmigu Sree Vanikkaruppanna Samy, Sree Agni Veeran Samy, Muniyappa Samy, Sree Sannasi Samy, Sree Irulayi Amman. While so, on 21.02.2024, Maha Kumbhabisegam was conducted for the said Temple. Thereby, the villagers have decided to conduct Varudabisegam after completion of one year. Due to misunderstandings between the petitioner and the 5th respondent, already Peace Committee Meeting was conducted and based on the resolution passed in the peace committee, the parties have decided to conduct Varudabisegam separately. Accordingly, the 5th respondent's party have conducted Varudabisegam on 09.03.2025. Now, the petitioner's party wants to conduct Varudabisegam on 01.04.2025 and 02.04.2025. To that effect, they have also approached the 3rd respondent seeking police protection, but the same was rejected on the ground that already the 5th respondent's party have conducted Varudabisegam on 09.03.2025. Since as per the resolution of the peace committee, the petitioner's party would conduct Varudabisegam separately by fixing date, the 3rd respondent cannot reject his request for police protection, hence, the impugned order passed by the 3rd respondent



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is liable to be set aside.

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3.The learned Additional Public Prosecutor appearing for the respondents 1 to 3 would submit that there are two rival groups claiming right over the Temple. Thereby, a Peace Committee Meeting was conducted by the 4th respondent and already on 09.03.2025 Varudabisegam was conducted by the 5th respondent. For that police protection was granted and the festival went on smoothly without any law and order problem. Again the petitioner's party have decided to conduct Varudabisegam separately. Therefore, they have rejected the request of the petitioner.

4.The learned Government Advocate appearing for the 4th respondent would submit that due to dispute between the petitioner and the 5th respondent, they have conducted Peace Committee Meeting, thereby, the 5th respondent's party have conducted Varudabisegam on 09.03.2025. Now, the petitioner wants to conduct Varudabisegam



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again by appointing separate Poosari. For that, the 3rd respondent has passed the rejection order.

5.The learned counsel appearing for the 5th respondent would submit that there is a misunderstanding between the petitioner and the 5th respondent, already all the villagers have conducted Varudabisegam on 09.03.2025. Now, the petitioner wants to conduct Varudabisegam for the same Temple separately by appointing separate Poosari. However, the Temple authorities have already appointed Poosari for the Temple. In order to create clash between the two groups, the petitioner now decided to conduct separate Varudabisegam by appointing separate Poosari. However, the 5th respondent is no way restrict the petitioner from worshipping the Temple.

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



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7.The petitioner has filed this petition to quash the impugned order passed by the third respondent rejecting the request of the petitioner to grant permission and to provide police protection for conducting Varudabisegam in the Temple. According to the respondents, already Varudabisegam was conducted by majority of people on 09.03.2025 for the said Temple.

8.On perusal of records, it is seen that in the Peace Committee Meeting dated 07.03.2025, resolutions have been passed and both parties had agreed for the same. In the 2nd resolution, 'B' party, who is the petitioner's party can conduct separate Varudabisegam by appointing separate Poosari. Therefore, the petitioner, who belongs to B party can conduct separate Varudabisegam as per the peace committee's resolution. In respect of appointment of Poosari and other rights over the Temple, the parties can approach appropriate forum to establish their rights.



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9.Now, the prayer of the petitioner is only to conduct Varudabisegam and for seeking police protection. Since the petitioner's party have decided to conduct Varudabisegam based on the resolution passed in the Peace Committee Meeting, it is for them to decide as to how Varudabisegam has to be conducted and there is no need to seek permission for conducting Varudabisegam. At the same time, the third respondent has to ensure the safety of the devotees/participants in the Temple festival.

10.In the above said terms, this writ petition stands disposed of.

27.03.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

Note : Issue order copy on 28.03.2025

PNM

To

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Sivagangai District,
Sivagangai.



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5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
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P.DHANABAL, J.

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