



W.P.(MD)No.13993 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 09.05.2025

CORAM

THE HONOURABLE MR.JUSTICE R. SAKTHIVEL

W.P.(MD)No.13993 of 2025

R.Kathiravan

... Petitioner

VS.

1.The District Collector,
Madurai District.

2.The Commissioner of Police,
Madurai City.

3.The Joint Commissioner,
Hindu Religious and Charitable Endowment Board,
Madurai Zone, Elis Nagar,
Madurai.

4.The Deputy Commissioner/ Executive Officer,
Arulmighukallalagar Temple Alagarkovil,
Madurai.

5.The Inspector of Police D1,
Tallakulam (L&O) Police Station,
Madurai.

6.V.Tamilarasan

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents 1 to 5 to grant permission to the petitioner and other members of Mutharaiyar community to participate and worship Lord Kallazhagar in the Madurai Mutharaiyar Welfare Association Mandapadi (1434 pasalimandagapadi) at 1-B, Perumalkovil Street Thallakulam Post, Madurai District, during the Chithirai Festival 2025 from 11.05.2025 till 15.05.2025 with adequate police protection within the time period stipulated by this Court.

For Petitioner	:Mr.T.Aswin Raja Simman
For R1 & R2	:Mr.M.Lingadurai Special Government Pleader
For R3	: Mr.A.Thiruvadikumar Additional Public Prosecutor
For R5	: Mr.S.Viudhyasagar

ORDER

This writ petition under Article 226 of the Constitution of India has been filed on 06.05.2025 praying to direct the respondents 1 to 5 to grant permission to the petitioner and other members of Mutharaiyar community to participate and worship Lord Kallazhagar in the Madurai



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Mutharaiyar Welfare Association Mandapadi (1434 pasalimandagapadi)

at 1-B, Perumalkovil Street Thallakulam Post, Madurai District, during the Chithirai Festival 2025 from 11.05.2025 till 15.05.2025 with adequate police protection within the time period stipulated by this Court.

2. Heard on both sides.

3. A writ petitioner cannot come to Court seeking direction against the authority concerned to act on their representation in a short/constrained timeline, unless and otherwise such hastiness on the part of the writ petitioner is justified by the facts and circumstances of the case. When a writ petitioner seeks relief by way of a representation before the appropriate authority, the authorities must be given sufficient and reasonable time to act on the representation so as to enable them to exercise due diligence in the decision-making process. A delayed or eleventh-hour representation, unless justified by compelling and exceptional facts and circumstances, cannot be a valid foundation for invoking the extraordinary jurisdiction under Article 226 of the



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Constitution. Administrative authorities are entitled to sufficient opportunity to consider representations, assess relevant factors, and arrive at an informed and reasoned decision. Article 226 of the Constitution of India ought not to be invoked to compel authorities to take hasty decisions under constrained timelines, unless the delay in representation was occasioned by reasons beyond the petitioner's control and substantial prejudice would otherwise be caused.

4. In this case, the petitioner sent the representation on 05.05.2025 and this writ petition has been filed on 06.05.2025. Hence, this Court is of the view that this writ petition is premature. Hence, this Writ Petition is dismissed. However, the general public including the petitioner is entitled to participate and worship the Lord *Kallazhagar* in the Madurai Mutharaiyar Welfare Association Mandapadi (1434 Pasalim and agapadi) at 1-B, Perumalkovil Street, Thallakulam Post, Madurai District, during the Chithirai Festival 2025 from 11.05.2025 till 15.05.2025. If anybody obstruct or prevent the petitioner, the petitioner is at liberty to lodge complaint before the fifth respondent. On receipt of such complaint, the fifth respondent police shall initiate action as per law.



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WEB COPY 5. The writ petition is dismissed with the above observations.

Considering the facts and circumstances, there shall be no order as to costs.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
Rmk

09.05.2025

To

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R. SAKTHIVEL, J.

Rmk

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