



W.P.Crl.(MD)No.88 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

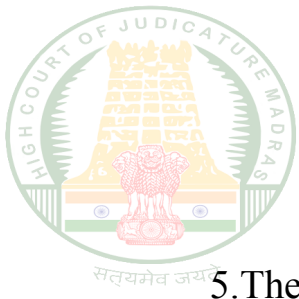
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Arulmigu Muthu Mariamman Temple,
represented by its Non-hereditary trustee,
P.Sundaraj

... Petitioner

versus

- 1.The District Collector,
Pudukottai District,
Pudukottai.
- 2.The District Revenue Officer,
Pudukottai District,
Pudukottai.
- 3.The Revenue Divisional Officer – Cum
Judicial Magistrate,
Aranthangi,
Pudukottai District.
- 4.The Tahsildar,
Aranthangi Taluk,
Pudukottai District.



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5. The Joint Commissioner,
HR and CE Department,
Thanjavur District.

6. The Assistant Commissioner,
HR and CE Department,
Pudukottai District.

7. The Inspector,
HR and CE Department,
Office at Arulmigu Veeramahaliyamman Temple,
Aranthangi,
Pudukottai District.

8. The Inspector of Police,
Aranthangi Police Station,
Pudukottai District.

9. Jothimani

10. Rengasamy

... Respondents

Writ Petition filed under Article 226 of the constitution of India, seeking for the issuance of Writ of certiorarified mandamus calling for the records relating to the impugned peace talk decision in Na.Ka.No. 145/2021/A2, dated 03.06.2025 of the 3rd respondent, quash the same as illegal and consequently direct the respondent Nos.1 to 7 to permit the petitioner to conduct the temple in Mangudi Village, Poovatrakudi Post, Keeramangalam via, Aranthangi Taluk, Pudukottai District.



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For Petitioner : Mr.M.Suresh

For Respondents : Mr.F.Deepak,
Spl.Govt.Pleader for R1 to R4

: Mr.A.S.Abul Kalam Azad,
Government Advocate (CrlSide)
for R8

: Mr.S.S.Madhavan, for R5 to R7

ORDER

This petition is filed challenging the proceedings of the Revenue Divisional Officer in the peace committee meeting conducted by him on 03.06.2025. By the order impugned, the Revenue Divisional Officer has prohibited the villagers from conducting any festival in Arulmigu Muthu Mariamman Temple, Mangudi Village, Poovatrakudi Post, Keeramangalam via, Aranthangi Taluk, Pudukottai District till the issue which is pending before the Joint Commissioner in OA.Nos.74 & 76 of 2021 attain finality.



2.The Revenue Divisional Officer is not having any authority to

pass such an order restricting the villagers from conducting any festival. Therefore, this Court is not agreeing with the order impugned. However, it is reported by the respondent Police that there are three groups in the village. The petitioner group and another group belong to Muthrayar Community and the third group belong to Scheduled Caste Community. As such, there is a possibility of law and order situation and it would be very difficult to provide security for peaceful conduct of the festival.

3.It is reported that this Temple is a non-listed Temple u/s. 49(1) of the HR & CE Act and under the supervision of HR & CE Department. The petitioner claims that he is the non-hereditary trustee of the Temple. The petitioner belongs to Mutharayar Community and from his Community groups itself, there are some agitations. On the dispute among the three groups, the other villagers cannot be denied their right of worship and right of festival during

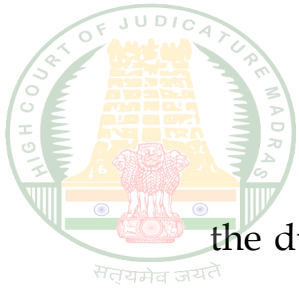


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the festive occasions. Therefore, this Court suggested the Inspector of HR and CE Department to conduct the festival and also by confining the festival for two days. The petitioner's Counsel submitted that he is not having any issues in allowing all the three groups to participate in the festival and to perform the poojas. This Court therefore directed the petitioner to file an affidavit to that effect. For this purpose, the case has been passed over. However, in the afternoon session, the petitioner's Counsel submitted that the petitioner himself has initiated peace talk in the village to have an amicable settlement among all the three groups and to conduct the festival in a peaceful manner.

4. Law and order is within the purview of the respondent Police. No one can take the law and order into their control. In the event if anybody is creating any problem, appropriate action has to be taken by the respondent Police by registering cases as against them and by preventing them from indulging in such activities. It is



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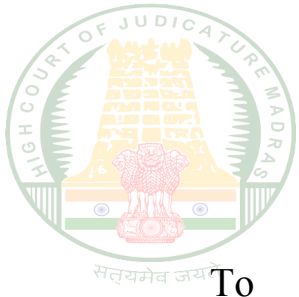
the duty of the respondent Police to ensure that the common man is allowed to perform his poojas in a public temple, which is guaranteed under the Constitution. Therefore, this petition is allowed. The impugned order is set aside. The R7 / Inspector of HR CE shall conduct the festival on 09.06.2025 (vaikkasi festival) and on 16.06.2025 (car festival). The respondent Police shall provide adequate police protection and ensure that the groups are not exceeding their limits interfering with the functioning of the seventh respondent.

There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

06.06.2025

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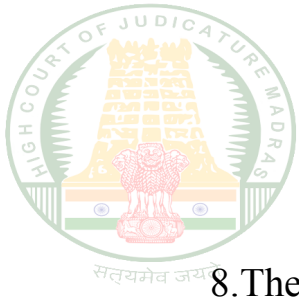
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9. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
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B.PUGALENDHI, J.

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