

W.P. CrI(MD)No.352 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED: 01.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.CrI.(MD)No.352 of 2025

Selvam

... Petitioner

Vs

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 3.The Revenue Divisional Officer,
Devakottai Division,
Devakottai,
Sivagangai District.
- 4.The Tahsildar,
Thiruppathur,
Sivagangai District.
- 5.The Manager,
Sivagangai Samasthanam Devasthanam,
Sivagangai,
Sivagangai District.



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6.The Superintendent,
Sivagangai Samasthanam Devasthanam,
Singampunari,
Sivagangai District.

7.The Inspector of Police,
Nerkuppai Police Station,
Sivagangai District.

8.Mr.Sekkappan Pathambalam

...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 3 to 6, to ensure the participation of the people, who belongs to the excommunicated 60 families and consequently directing 2nd and 7th respondents to provide Police protection to the participation of the people, who belongs to the excommunicated 60 families in the Aani Urchava Festival celebration of Pariyamaruthupatti Arulmigu Sevugaperumal Ayyanar Temple, Pariyamaruthupatti, which belongs to Sivagangai Samasthanam Devasthanam from 30.06.2025 to 10.07.2025.

For Petitioner	: Mr.S. Bharathy Kannan
For R1, R3 & R4	: Mr.F.Deepak Special Government Pleader
For R2 & R7	: Mr.E.Antony Sahaya Prabahar Additional Public Prosecutor
For R5 & R6	: Mr.Manoharan
For R8	: Mr.V.Kathirvelu, Senior Counsel



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ORDER

The petitioner is a resident of Nerkuppai Village, Thiruppathur Taluk, Sivagangai District. He has moved this writ petition with an allegation as against the eighth respondent herein that the eighth respondent is preventing this petitioner and his group from participating in the "Aani Urchava Thiruvizha" at Pariyamaruthupatti Arulmigu Sevugaperumal Ayyanar Temple, scheduled from 30.06.2025 to 10.07.2025.

2.The learned counsel for the petitioner submits that though the temple festival committee have collected tax from all the villagers, they refused to collect it from the petitioner and 60 other families. The learned counsel has produced a list, which shows collection of tax from the villagers for the festival conducted in the previous year.

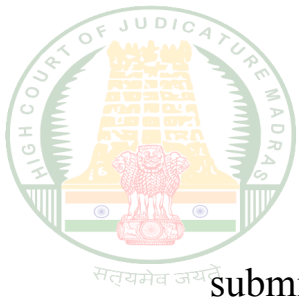


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3.Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor, who takes notice for R2 & R7, on instructions from the Inspector of Police, Nerkuppai Police Station submits that the eighth respondent is in fact preventing the petitioner and his group from participating in the temple festival. This has also been confirmed by the report of the Tahsildar, Thiruppathur.

4.Mr.V.Kathirvelu, learned Senior Counsel, who takes notice for the eighth respondent has disputed the same and submits that there is no question of preventing anybody from participating in the temple festival. Moreover, this temple is administered by the Sivagangai Samasthanam. The learned Senior Counsel further submits that the dispute is arising out of the conduct of the petitioner in assaulting a poojari of the temple on 31.01.2024 during the temple festival. Therefore, a criminal case has been registered as against this petitioner. Only thereafter, there is some dispute between the petitioner group and the eighth respondent group. He further

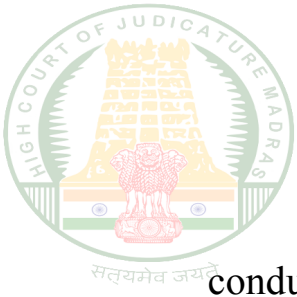


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submits that they are not preventing this petitioner from participating in the Mandagapadi festival. Insofar as the collection of tax for temple festival, the learned Senior Counsel submits that they are not collecting any tax from any of the villagers and Mandagapadi festival is being conducted out of the donations offered by the villagers/devotees. Now, the learned Senior Counsel undertakes that the eighth respondent and his group would not prevent anybody from participating in the temple festival and Mandagapadi festival and they are ready to collect the amount from the petitioner either as tax or as donation for the temple.

5.The learned counsel for the respondents 5 & 6 submits that this temple is under the control of Sivagangai Samasthanam and the temple festival is also conducted by the Samasthanam. However, Mandagapadi festival is being conducted by the private parties, namely, Keelatheru Nattaras and Vadakkutheru Nattars of the Village. He further submits that there is no dispute among the Vadakkutheru Nattars, however, there is some dispute with regard to



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conduct of Mandagapadi festival between the eighth respondent of Keelatheru Nattars group and the petitioner group.

6.Mr.Ramesh Kumar, learned counsel for the proposed respondent submits that he has filed an impleading petition today, to implead Vadakkutheru Nattars as parties to this proceedings. However, he claims that there is no issue with the Vadakkutheru Nattars. Therefore, this Court is of the view that there is no necessity for entertaining the impleading petition filed by the Vadakkutheru Nattars.

7.This Court considered the rival submissions made and also perused the materials placed on record.

8.Temple festivals are conducted not only for worshipping the deity and also in order to maintain harmony among the villagers. However, in the event, if anybody is taking Law in to their hands or preventing anybody from participating in the temple,



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It has to be dealt with seriously by registering a criminal case as against those persons, who have done so. Considering the undertaking given by the learned Senior Counsel for the eighth respondent and the submissions of the learned counsel for other respondents, this writ petition is disposed of with the following directions:-

- i. The villagers of Nerkuppai Village, consisting of Keelatheru Nattaras, Vadakkutheru Nattars and others shall conduct the temple festival peacefully, as scheduled.
- ii. In the event, if the eighth respondent has shown any discrimination as against the other villagers including this petitioner and attempt to prevent anybody from participating in the temple festival, the Sivagangai Samasthanam shall conduct the Mandagapadi festival by taking over the right of Keelatheru Nattars.



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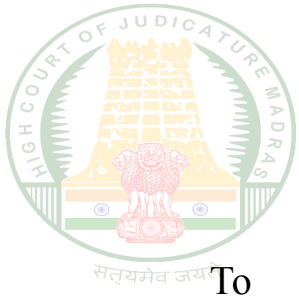
iii. Since it is reported that the petitioner has attacked the Poojari of the temple during last year temple festival, the petitioner is directed to maintain discipline during the festival.

There shall be no order as to costs.

01.07.2025

Index: Yes
Internet: Yes
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Note: Issue order copy today (01.07.2025)



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Order made in
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