



W.P.Crl.(MD)No.630 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2025

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Writ Petition Criminal (MD) No.630 of 2025

Rajapandi

..Petitioner

Vs

- 1.The District Collector,
Sivagangai District.
- 2.The Revenue Divisional Officer,
Sivagangai District.
- 3.The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
- 4.Rasu
- 5.Poopandi
- 6.Kaleeswaran
- 7.Saravanan
- 8.Karunakaran
- 9.Karthick
- 10.Murugan
- 11.K.P.Ramasamy

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents 1 to 3 to take action against the private respondents 4 to 11 for restricting the petitioner from participating in Garland (Mulaipari) and Kuthirai Thookuthal Procession in pursuant temple



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festival of Sri Poo Kaaliyamman Temple Festival at Pillur Village, Sivagangai District scheduled to be held from 29.07.2025 to 05.08.2025 and further permit the petitioner to take part in the said event in the light of his representation dated 14.07.2025.

For Petitioner : Mr.S.Ashok

For Respondents : Mr.F.Deepak
Spl. Govt. Pleader (for R1 and R2)

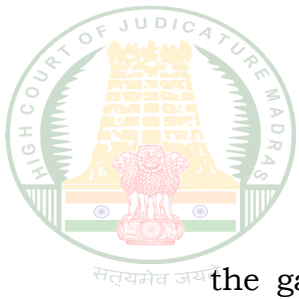
Mr.E.Antony Sahaya Prabahar
Addl. Public Prosecutor
(for R3)

Mr.Arun Swaminathan (for RR5 to 11)

ORDER

The petitioner is a native of Pillur Village. The grievance of the petitioner is that she has been prevented by the private respondents from carrying the garland (Mulaipari) during the Temple festival proposed to be conducted in the village from 29.07.2025 to 05.08.2025.

2. The learned counsel appearing for the petitioner submits that the petitioner is a native of Pillur village. Since she is the woman, she has been prevented by the private respondents from carrying the garland. It is only for the male descendants who can participate in



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the garland procession. Since the petitioner is a female descendant and there is no male descendant to his father, this petitioner's family is prevented from taking the garland. The petitioner claims that even in the year 2022, the private respondents prevented this petitioner. Therefore, this petitioner has lodged a complaint before the Revenue Divisional Officer/third respondent, and on the directions of the 3rd respondent, she was permitted to attend the festival conducted in the year 2022. Thereafter, again this year, the private respondents started to prevent this petitioner from taking the garland. Therefore, the petitioner has submitted a representation to the official respondents and has filed this writ petition seeking a Writ of Mandamus to direct the respondents 1 to 3 to take action against the private respondents 4 to 11 for restricting this petitioner from participating in the garland (Mulaipari) and Kuthirai Thoothuthal procession for the temple festival schedule to be conducted from 29.07.2025 to 05.08.2025.

3. The learned counsel for the respondents 5 to 11 submits that the female descendants are not entitled to take Mulaipari as per the custom prevailing in the village. However, they can take Mulaipari as an offering of prayer and not as a right. The learned counsel also submits that in this regard, the 4th respondent has filed a suit before the District Munsif Court, Sivagangai, in O.S. No. 83 of 2021, and the



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petitioner has also entered an appearance. They would take further course of action depending upon the outcome of the civil suit.

4. The learned Additional public Prosecutor submits that this issue has been referred to the Tahsildar and there was an enquiry by the Tashildar yesterday.

5. This court considered the rival submissions of either side.

6. It appears that the petitioner is a native of Pillur Village. Since she is a female descendant, the villagers are objecting to the petitioner taking the garland. The private respondents claim that it is the ritual for the male descendant who has to take Mulaipari. This is the custom that prevails in the village. It appears that the 4th respondent has also filed a civil suit before the District Munsif Court, Sivagangai. When the civil suit is pending before the District Munsif Court, the respondents 4 to 11 cannot raise this plea, preventing this petitioner from carrying the garland. It is open to the respondents 4 to 11 to work out their remedy before the civil court in the above-said suit. Till such time, there shall not be any prevention from the respondents 4 to 11. No person can be prevented, under the guise of customs, from offering prayer. If the villagers want to establish their



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customary rights, let them establish their customs before the competent civil court in the manner known to law. No one can take the law into their hands or prevent anyone from participating in the temple festival. The respondents are directed to ensure that the petitioner is not prevented from offering her prayer.

7. With the above observation, this writ petition stands disposed of. No costs.

30.07.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn

To

- 1.The District Collector,
Sivagangai District.
- 2.The Revenue Divisional Officer,
Sivagangai District.
- 3.The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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