



W.P. CrI(MD) No. 1320 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

W.P. CrI. (MD) No. 1320 of 2025

M.Uthayakumar

... Petitioner

Vs

The State of Tamil Nadu,
1. The Superintendent of Police,
Palayamkottai,
Tirunelveli District.

2. The Deputy Superintendent of Police,
Valliyoor,
Tirunelveli District.

3. The Inspector of Police,
Radhapuram Police Station,
Radhapuram, Tirunelveli District.

4. The Sub Inspector of Police,
Radhapuram Police Station,
Radhapuram, Tirunelveli District.

5.P.Suresh

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing 2nd respondent to conduct proper enquiry on the petitioner's complaint dated 07.09.2025 and not to accord permission to the 5th respondent to conduct temple festival on 16.09.2025 and 17.09.2025 to the Arul Mighu Mutharamman Utchini Mahali Amman Temple, Illayanainarkulam, Rathapuram Taluk, Tirunelveli District, without hearing the petitioner and temple committee.

For petitioner : Mr. T.Lajapathi Roy, Senior Counsel
for Mr.K.Muthurakkan

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor for R1 to R4
: Mr.R.Rajamohan for R5

ORDER

The petitioner sought for a direction to the 2nd respondent to conduct proper enquiry on the petitioner's complaint dated 07.09.2025 and not to accord permission to the 5th respondent to conduct temple festival on 16.09.2025 and 17.09.2025 to the Arul Mighu Mutharamman Utchini Mahali Amman Temple, Illayanainarkulam, Rathapuram Taluk, Tirunelveli District



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2. Even according to the petitioner, in a writ petition filed by the fifth respondent, in W.P.(MD)No.1237 of 2025, this Court recorded the submission of the learned Additional Public Prosecutor that the request of the fifth respondent would be favourably considered and accordingly, this Court had ordered a direction to the third respondent therein, to consider the petitioner's representation and pass orders on or before 15.09.2025.

3. The prayer now is that no such permission should be accorded to the fifth respondent. This Court cannot issue any such direction as prayed for, as it is the discretion of the authority to grant or deny any permission to the fifth respondent.

4. However, the learned Senior Counsel for the petitioner would submit that any request for participation cannot be granted, by the Sub Inspector of Police and only by the Deputy Superintendent of Police. Therefore, the second respondent shall conduct an enquiry, on the request made by the 5th respondent and pass orders on or before 15.09.2025. Consequently, the order passed by this Court on 04.09.2025 in the writ petition filed by the 5th respondent is modified to that extent.



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5. The learned counsel for the 5th respondent is present and he is also agreeable to such modification.

6. With the above observations, this Writ Petition is disposed of.

Index : Yes / No
Internet : Yes / No
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To

1. The Superintendent of Police,
Palayamkottai,
Tirunelveli District.

2. The Deputy Superintendent of Police,
Valliyoor,
Tirunelveli District.

3. The Inspector of Police,
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4. The Sub Inspector of Police,
Radhapuram Police Station,
Radhapuram,
Tirunelveli District.

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



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SUNDER MOHAN, J.

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