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WP CrI. No. 321 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-02-2026

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

WP CrI. No. 321 of 2026

Saravanan

..Petitioner

Vs

1. The Superintendent of Police,
Namakkal,
Namakkal District.
2. The Inspector of Police,
Karattupalayam Police Station,
Thiruchengode Taluk,
Namakkal District.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus, directing the respondents to give permission to celebrate the festival and protection to the festival to be celebrated from 03.03.2026 to 09.03.2026 in Machampalayam Sri Mariamman Temple, Moliyappalli Village, Thiruchengode Taluk, Namakkal District.

For Petitioner:

Mr..K.Thiruvengadam

For Respondents:

Mr.S.Vinoth Kumar GA(crl.side)



ORDER

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This writ petition has been filed seeking issuance of a writ of mandamus, directing the respondents to give permission to celebrate the festival and protection to the festival to be celebrated from 03.03.2026 to 09.03.2026 in Machampalayam Sri Mariamman Temple, Moliyappalli Village, Thiruchengode Taluk, Namakkal District.

2. The case of the petitioner is that he is the Dharmakarthha of Machampalayam Sri Mariamman Temple, Moliyappalli Village, Thiruchengode Taluk, Namakkal District and that he, along with the villagers, used to conduct the Pongal Thiruvizha from 03.03.2026 to 09.03.2026 as per the customs and rights and hence, the petitioner sent a representation to the respondents on 05.02.2026. Since it has not been considered so far, the petitioner has approached this Court by way of this writ petition (criminal).

3. The learned counsel appearing for the petitioner relied upon an order of this Court made in W.P.No.6318 of 2024, dated 08.03.2024, which was filed by the very same petitioner for celebrating the temple festival for the year 2024, the relevant portion of which reads as under:



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"3. It is seen from records that already a Peace Committee Meeting has been conducted by the Revenue Divisional Officer, Thiruchengode and there seems to be a dispute between two parties. The Revenue Divisional Officer, Thiruchengode through proceedings dated 04.03.2024 has come to a conclusion that one of the party (-A- Party) is not willing to co-operate for conducting the festival. In view of the same, since the authority apprehends law and order problem, the permission was rejected.

4. In the considered view of this Court, if the parties are not able to come together and conduct a temple festival, it is better that no temple festival is conducted. Since it is contended that temple festival is going to be held from tomorrow, to ensure that both the parties participate in the festival without causing any law and order problem, there shall be a direction to the Inspector, HR & CE, Thiruchengode to conduct the festival this time. The respondent police shall grant police protection for the same. This permission granted by this Court, considering the facts of the case, does not give the HR & CE any right to take over the temple, since it is contended that the temple is managed by the villagers belonging to the locality. This observation will sufficiently take care of the interest of the villagers.

5. This writ petition is disposed of in the above terms.
No Costs."

4. Mr. S.Vinoth Kumar, learned Government Advocate (CrI. Side) appearing for the respondents submitted that the petitioner's representation dated 05.02.2026 is under consideration. He further submitted that the petitioner claims to be the Dharmakarthha of the temple in question; there is a rival claim by another group of persons in the same village under the leadership of one Muthukumar and the police are apprehending law and order issue; in the writ petition in W.P. No.6318 of 2024 filed by the petitioner earlier in a similar circumstance, this Court, by order dated 08.03.2024, has held that if the parties are not able to come together and conduct the festival, it is better that the



festival is not conducted; however, in the same order, this Court had directed the Inspector of H.R. & C.E. Department, Tiruchengode, to conduct the festival.

He further submitted that based on the petitioner's representation dated 05.02.2026, the respondents are ready to enquire both parties and dispose of the said representation at the earliest.

5. In view of the above submission made by the learned Government Advocate (Criminal Side), a direction is issued to the respondents to consider the petitioner's representation dated 05.02.2026 and pass orders on the same on merits and in accordance with law, on or before 20.02.2026, of course, after enquiring both the parties. It is made clear that if no consensus is arrived at between the parties, the Inspector, H.R. & C.E. Department, Tiruchengode, is directed to conduct the festival and the respondent police shall grant protection for the same. It is made clear that the order passed in this writ petition shall not give the H.R. & C.E. Department any right to take over the temple since it is contended that the temple is managed by the villagers belonging to the locality.

6. This writ petition is disposed of on the above terms. No costs.

16-02-2026

DN/cad

Note to Registry:

Issue order copy on 17.02.2026



To

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1. The Superintendent of Police,
Namakkal,
Namakkal District.
2. The Inspector of Police,
Karattupalayam Police Station,
Thiruchengode taluk,
Namakkal district.
3. The Public Prosecutor
Madras High Court
Chennai 600 104



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A.D.JAGADISH CHANDIRA, J.

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