



W.P.Crl.(MD)Nos.697 & 764 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2026

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.Crl.(MD).Nos.697 & 764 of 2026

W.P.Crl.(MD)No.697 of 2026

K.Kadarkarai

... Petitioner

Vs

1. The State of Tamilnadu,
Rep by the Superintendent of Police,
Virudhunagar District.

2. The Deputy Superintendent of Police,
Srivilliputtur Taluk,
Virudhunagar District.

3. The Inspector of Police,
Krishnankovil Police Station,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd and 3rd respondents to grant permission and to give police protection to conduct the Sivarathiri festival which is schedule to be held from 16.02.2026 and 17.02.2026 in the petitioner's temple namely Arulmighu Pon Irulappa Swamy, Periakaruppasamy and Sangili Karuppasamy Temple situated at Kalyanipuram Panchayat, Sundarapandiam Revenue Village, Watrap Taluk, Virudhunagar District by considering the petitioner's representation dated 31.01.2026.



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For Petitioner : Mr. M.Gnana Guru Nathan
For Respondents : Mr.A.S.Abul Kalaam Azad
Government Advocate (Crl.side)

W.P.Crl.(MD)No.764 of 2026

Erulappan

... Petitioner

Vs

1. The Superintendent of Police,
Virudhunagar,
Virudhunagar District.

2. State of Tamilnadu Rep by,
The Inspector of Police,
Krishnankovl Police Station,
Virudhunagar District.

... 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 to grant permission and protection to conduct the Maasi Amavasai Festival and to provide Annadhanam to be held on 17.02.2026 and 18.02.2026 at Arulmigu Pon Irulappa swamy and Periyakaruppu Swamy Thiru Kovil, K.Pudhur, Watrap Taluk, Virudhunagar District.

For Petitioner : Mr.R.Balamuruganantham

For Respondents : Mr.A.S.Abul Kalaam Azad
Government Advocate (Crl.side)



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COMMON ORDER

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The Writ Petition in W.P.Crl.(MD)No.697 of 2026 has been filed for the issuance of a Writ of Mandamus, directing the 2nd and 3rd respondents to grant permission and to give police protection to conduct the Sivarathiri festival which is schedule to be held from 16.02.2026 and 17.02.2026 in the petitioner's temple namely Arulmighu Pon Irulappa Swamy, Periakaruppasamy and Sangili Karuppasamy Temple situated at Kalyanipuram Panchayat, Sundarapandiam Revenue Village, Watrap Taluk, Virudhunagar District by considering the petitioner's representation dated 31.01.2026.

2. The Writ Petition W.P.Crl.(MD)No.764 of 2026 has been filed for the issuance of a Writ of Mandamus, directing to direct the respondents to grant permission and protection to conduct the Maasi Ammavasai Festival and to provide Annadhanam to be held on 17.02.2026 and 18.02.2026 at Arulmigu Pon Irulappa swamy and Periyakaruppu Swamy Thiru Kovil, K.Pudhur, Watrap Taluk, Virudhunagar District.

3. It is seen from the records earlier a writ petition in W.P.(MD)No.2725 of 2026 was filed by one Erulappan, wherein the third respondent was one Mahalingam. After considering the rival submissions, this Court, vide order,



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dated 21.02.2025, passed an order and the same is extracted hereunder:

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“7. Recording the above said submission of the learned counsel appearing for the petitioner and the learned counsel appearing for the third respondent the writ petition stands disposed of with a direction to the respondents 1 and 2 to give police protection to the festival and Annadhanam to be held on 27.02.2025 and 28.02.2025 at Arulmigu Pon Irulappa Swamy and Periakaruppa Samy Thirukovil, K. Pudur, Watrap Taluk, Virudhunagar District. The petitioner and the third respondent also ensure that there will not be any law and order issue. This Court does not decide the rights of the parties in respect of the temple and only considered the smooth conduct of the festival.”

4. The writ petition in W.P.Crl.(MD)No.697 of 2026 has been filed by K.Kadarkarai, who belongs to the same group as Mahalingam, the third respondent in the earlier writ petition. The present writ petition seeks permission to conduct the Sivarathiri Festival scheduled on 16.02.2026 and 17.02.2026. There is also another writ petition which was yet to be numbered. This Court directed the Registry to number the writ petitioner and the same is numbered as W.P.Crl.(MD)No.764 of 2026 and a common order is being passed after considering the rival submissions. This Court perused the notice printed for the said occasion and the said notice is stated as under: “இப்படிக்கு, மு.இருளப்பன், கடற்கரை, மு.பாண்டியராஜா, ம.செல்லப்பாண்டி I.T.சந்திரசேகர்”



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5. Accordingly, the function shall be conducted by the committee with Erulappan as the Head assisted by K.Kadarkarai, who is a petitioner in W.P.Crl. (MD)No.697 of 2026 along with Pandiarajan, Chellapandi and Chandrasekar. In the Notice it is further stated that there are nine persons representing nine village and they in turn assist the committee stated supra. The festival shall be celebrated on 16.02.2026 and 17.02.2026. In case, if there is any dispute or rival claim, the parties are at liberty to approach the competent Civil Court. Likewise, if any person claims a right for poojariship, they are at liberty to approach the appropriate Court or forum. The customs and rituals followed all these years shall continued to be followed by the parties without deviating . Accordingly to the Erulappan, one Duraipandi is acting as the Poojari. The same is recorded. As far as the Poojariship is concerned, the village committee shall take an appropriate decision.

6. With the above directions, these writ petitions are disposed of. No Costs.

10.02.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
jbr

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NOTE: Issue order copy on 16.02.2026.

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To

1. The Superintendent of Police,
Virudhunagar District.
2. The Deputy Superintendent of Police,
Srivilliputtur Taluk,
Virudhunagar District.
3. The Inspector of Police,
Krishnankovil Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY, J.

jbr

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10.02.2026