



WP CRL.(MD). No.1321 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 05/03/2026

CORAM

THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

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Amuthavalli

... Petitioner

Vs

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

2. The Deputy Superintendent Of Police,
Srivilliputtur, Virudhunagar District.

3. The Inspector of Police,
Srivilliputtur Town Police Station,
Virudhunagar District.

... Respondents

PRAYER :-

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus direction in the nature of writ directing the respondents to give permission and adequate police protection for the temple festival in Arulmighu Shree Sri Kammalachi Amman, Shree Karuppasamy Temple situated at Raittanpatti, Srivilliputtur Town and Taluk, Virudhunagar District, scheduled to be held on 03.03.2026 to 11.03.2026 on the basis of the petitioner's representation dated 27.02.2026 and 28.02.2026.

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For Petitioner : Mr. S.Muniyandi,
Advocate.

For Respondent : Mr.S.S.Manoj for R1 to R3
Government Advocate (Crl.Side)

Mr.Jidesh
for rival parties

Mr. K.Muthumalai
for intervener

ORDER

This Writ Petition is filed to issue a Writ of Mandamus, directing the respondents to give permission and adequate police protection for the temple festival in Arulmighu Shree Sri Kammalachi Amman, Shree Karuppasamy Temple situated at Raittanpatti, Srivilliputtur Town and Taluk, Virudhunagar District, scheduled to be held on 03.03.2026 to 11.03.2026 on the basis of the petitioner's representation dated 27.02.2026 and 28.02.2026.

2. The learned counsel for the petitioner submitted that in the temple called Arulmighu Shree Kammalachi Amman, Shree Karuppasamy Temple, every year they conduct Maasi Kodai Festival.



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However, there is a rival faction hindering the temple authorities from conducting the festival. On 03.03.2026, festival flag has been hoisted in the temple, commencing the temple festival. Hence they have made representations to the respondent police on 27.02.2026 and 28.02.2026 seeking permission and police protection. However, the same is not considered. Hence this writ petition.

3. Learned Government Advocate, categorically contended that no such hoisting of flag has been done in the temple as claimed by the petitioner on 03.03.2026. Already a civil dispute is pending between two factions of the temple. Therefore, a suit for declaration in OS.No.28 of 2022, is pending before the learned Principal Subordinate Judge, Srivilliputhur, claiming right over the temple administration and conduct of the yearly Maasi Kodai festival. Only because of the pendency of the said civil suit, the respondent police did not consider the petitioner's representation. Unless and until the civil suit is disposed, the respondent police cannot afford any protection or permission to conduct the temple festival.



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4. Heard either sides and carefully perused the material available on record.

5. It is not in dispute that a civil suit for declaring the petitioner's father, namely Murugesan as the administrator of the temple, is still pending as against the disputing parties. Unless and until a final verdict is passed in the said civil suit, the police cannot interfere in the lis pending before civil suit. Hence, there is no merit in the petitioner's claim.

6. However, the learned Counsel appearing for the rival faction namely Panneer Selvam who is none other than the brother of the petitioner and the son of the said Murugesan who is a plaintiff in the civil suit pending between the parties, submitted that they have no objection in conducting temple festival. However, they made it clear that they should also be permitted to participate in all the functions connected thereto and it is also made clear that the petitioner should not claim any right or title over the temple, on the basis of having been permitted to conduct that temple festival.



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7. Learned counsel for the petitioner also drew my attention to the undertaking given by the rival faction before the Village Committee expressing their consent for conducting the temple festival.

8. Recording the same, the petitioner is hereby permitted to conduct Maasi Kodai Festival of Arulmighu Shree Sri Kammalachi Amman, Shree Karuppasamy Temple situated at Raittanpatti, Srivilliputtur Town and Taluk, Virudhunagar District, on 11/3/2026 by permitting the participation of Panneer Selvam, his family and other villagers. It is made clear that the no first honour should be claimed by both the rival parties since the civil suit is pending and both the parties should conduct the same without hindering the public law and order and comity of the village. The 2nd the 3rd respondent Police are directed to afford necessary protection to the conduct of the temple festival on payment of necessary charges by the petitioner in terms of G.O.Ms.No. 139 Home(Pol.VIII) Department, dated 04.03.2019.



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9. With the above observations, this Writ Petition stands disposed

of. No costs.

05.03.2026

NCC : yes / no
Index : yes / no
Internet : yes / no

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To

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

2. The Deputy Superintendent Of Police,
Srivilliputtur, Virudhunagar District.

3. The Inspector of Police,
Srivilliputtur Town Police Station,
Virudhunagar District.



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