



W.P.Crl.(MD)No.1812 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **02.04.2026**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.Crl.(MD)No.1812 of 2026

Sekar

... Petitioner

Vs.

The State of Tamil Nadu

rep., by

1.The Superintendent of Police,
Kanyakumari District.

2.The Inspector of Police,
Vadasery Police Station,
Kanyakumari District.

3.Moorthy
S/o.Vethamani

4.The Revenue Divisional Officer,
Nagercoil.

... Respondents

(R3 and R4 were suo motu impleaded vide order of this Court dated 02.04.2026)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to grant permission to the petitioner to conduct the festival programme on 03.04.2026 in connection with the temple festival at Arulmigu Sri Sivasudalai Karuppasami Ujjini Mahakali Amman Sastha Esakkiamman Thirukovil, Putheri Railway Gate, Kanyakumari District with sound and lighting system and with adequate police protection subject to the reasonable conditions, by considering the petitioner's representation dated 26.03.2026.



W.P.Crl.(MD)No.1812 of 2026

For Petitioner : Mr.S.Jebastin
For R1 & R2 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor
For R3 : Mr.S.Muthukannan
For R4 : Mr.C.Satheesh
Government Advocate (Civil)

ORDER

Seeking to direct the respondents to grant permission to the petitioner to conduct the festival programme on 03.04.2026 in connection with the temple festival at “Arulmigu Sri Sivasudalai Karuppasami Ujjini Mahakali Amman Sastha Esakkiamman Thirukovil”, Putheri Railway Gate, Kanyakumari District with sound and lighting system and with adequate police protection subject to the reasonable conditions, by considering the petitioner's representation dated 26.03.2026, this writ petition is filed.

2.When the matter came up for hearing, the learned Additional Public Prosecutor submitted that there is a dispute between two parties, as a result of which, potential threat prevails, which would cause severe law and order problem in the locality. He further submitted that civil suit in O.S.No.83 of 2025 before the learned Principal District Munsif, Nagercoil, is also pending between the parties.



W.P.Crl.(MD)No.1812 of 2026

3.Mr.Moorthy, S/o.Vethamani, who is the necessary party, is *suo motu* impleaded as third respondent in this petition.

4.Registry is directed to carry-out the necessary amendment.

5.Mr.S.Muthukannan, learned counsel, takes notice for the third respondent and submitted that the civil suit has been filed by the third respondent as against the petitioner and another. The petitioner herein is the second defendant in the said suit. The said suit has been filed as against the defendants, including the petitioner herein, for permanent injunction, restraining them from interfering with the peaceful possession, and administration of the temple in any manner. However, he fairly conceded that no order of injunction has been passed by the learned trial court.

6.Heard either side and carefully perused the materials available on record.

7.It is submitted that the petitioner's parties have made all necessary arrangements for conduct of aforesaid temple festival on 03.04.2026. In view of the objection made by the third respondent, it is not feasible for the petitioner's party to conduct temple festival on 03.04.2026.



W.P.Crl.(MD)No.1812 of 2026

8. Since there is no order of interim stay in the pending civil suit which was filed as early as in the year 2025 and also considering the facts and circumstances of the case, the Revenue Divisional Officer, Nagercoil, is *suo motu* impleaded as fourth respondent in this petition and Mr.C.Satheesh, learned Government Advocate (Civil), takes notice for the fourth respondent. The fourth respondent is directed to put the petitioner's party and the third respondent's party on notice as also any interested party, if any, and conduct a Peace Committee and find out the feasibility of permitting either parties to conduct festival. Accordingly, this Writ Petition is disposed of.

02.04.2026

NCC : Yes / No

Index : Yes / No

Rmk

Note:

Issue order copy on 06.04.2026.



W.P.Crl.(MD)No.1812 of 2026

TO:-

WEB COPY

- 1.The Superintendent of Police,
Kanyakumari District.
- 2.The Inspector of Police,
Vadasery Police Station,
Kanyakumari District.
- 3.The Revenue Divisional Officer,
Nagercoil.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P.Crl.(MD)No.1812 of 2026

L.VICTORIA GOWRI, J.

Rmk

Order made in
W.P.Crl.(MD)No.1812 of 2026

Dated
02.04.2026