



W.P(MD)No.9270 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 06.04.2026

CORAM

THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

W.P(MD)No.9270 of 2026

Koottalamoodu Arulmighu Bathreshwari Devasthanam
Represented by its Secretary
C.Rajkumar
S/o.Chinna Nadar
Painkulam
Kanyakumari District - 629 173.

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District,
Kanyakumari.
2. The District Revenue Officer,
Nagercoil,
Kanyakumari District - 629 001.
3. The Inspector of police,
Pudhukadai Police Station,
Kanyakumari 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 Respondent to grant permission for traditional public display of fireworks in the 10th day of Chithirai Festival at Koottalamoodu



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Arulmigu Bathreshwari Amman Temple situated at Painkulam, Kanyakumari District on 13.05.2026 after Thirukodi Irakkam from 12.00am to 6.00am by considering the representation of the Petitioner dated 06.03.2026 and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner	:Mr.K.Jeyamohan
For R1 and R2	:Mr.M.Lingadurai Special Government Pleader
For R3	:Mr.Gnanasekaran Government Advocate (Crl.Side)

ORDER

The writ petition has been filed for a mandamus directing the 2nd respondent to grant permission for traditional public display of fireworks in the 10th day of Chithirai Festival at Koottalamoodu Arulmigu Bathreshwari Amman Temple situated at Painkulam, Kanyakumari District on 13.05.2026 after Thirukodi Irakkam from 12.00 a.m. to 06.00.am by considering the representation of the petitioner dated 06.03.2026.



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2. Heard Mr.K.Jeya Mohan, learned counsel appearing for the petitioner, Mr.M.Lingadurai, learned Special Government Pleader, who takes notice on behalf of the respondents 1 and 2 and Mr.K.Gnanasekaran, learned Government Advocate (Crl.Side), who takes notice on behalf of the 3rd respondent.

3. The learned counsel for the petitioner would submit that it is a tradition to display fireworks upon the “Thirukkodi Irakkam” at Koottalamoodu Arulmigu Bathreshwari Amman Temple. In previous years, when permission was denied, this Court directed the respondents to grant permission for the event in the following year as well. Even though an application has been made for this year, no orders have been passed. Aggrieved by the same, the petitioner is before this Court.

4. The petitioner has engaged Sony Fireworks Limited and Supreme Fireworks Limited, who will conduct the fireworks display in a precautionary manner. All other safety instructions including a restriction on allowing the general public within 150 meters of the site, will also be strictly enforced. The temple plans to spend approximately Rs.8,00,000/- for this purpose.



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5. When the matter came up for hearing today, learned Special Government Pleader and learned Government Advocate (Crl.side) appearing for the respondents would submit that in a previous year, one person died and the criminal case in connection with that incident is still pending. In another year, there were law and order problems between two groups. The criminal cases in respect of these incidents are still pending, and for this reason, permission has not been granted.

6. In reply, the learned counsel for the petitioner submits that considering all the above aspects, the matter was finally considered by the Hon'ble Division Bench of this Court. After noting that the family of the deceased person had been paid Rs. 5,00,000/- as compensation and that additional protections were put in place, the Hon'ble Division Bench considered the issue in W.A.(MD) No. 681 of 2023 by an order dated 09.05.2023.

7. I have considered the rival submissions made on either side and perused the material records of the case.



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8. Upon perusal of the order passed by the Hon'ble Division Bench dated 09.05.2023 in W.A.(MD) No. 681 of 2023, it can be seen that the payment of compensation for a sum of Rs.5,00,000/- was noted in paragraph two of the said order. Finally, the following directions were given in paragraph 7 of the said order which is extracted here under:-

“However, the safety aspects cannot be lost sight of. A few days ago, in Kerala, there was a boat tragedy leading to loss of a number of lives. That was because of over crowding. When we indicated our concerns to the learned counsel for the appellant, it was undertaken by the appellant that Shri.T.Thulasidhas, Secretary in-charge of the appellant Devasthanam shall act as the nodal person to ensure scrupulous adherence to the safety protocol to be stipulated by the authorities. It is further undertaken that the fire works will be displayed only at the notified site which will be fenced and barricaded. Members of the general public will not be allowed to come within 100 metres of the spot. The Devasthanam will form a volunteer corps who will ensure that the safety distance is maintained. The entire burden shall not be placed on the police force. It is admitted that the temple flag is customarily lowered at 12:00 a.m. (Midnight) and the display of fire works follows. The organizers undertake to conclude the event by 02:30 a.m. In other words, the display of fire works can commence immediately after the flag is lowered and it shall be concluded by 02:30 a.m. The condition as to the timings imposed in the impugned order dated 27.04.2023 is set aside. The writ appeal is allowed. No costs. Consequently, connected miscellaneous petitions are closed.”



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9. Since the time limit is also fixed at 2 ½ hours in the said Division Bench judgment, the same shall be taken into account by the 2nd respondent while granting permission. The permission shall be granted for the same time limit and the upper cap for spending shall be fixed at Rs.8,00,000/- in total. The said fireworks companies shall ensure that the sound level of the crackers shall not exceed the permitted decibel levels. The District Revenue Officer shall impose such additional safety conditions as may be necessary when passing the permission order.

10. In view thereof, taking into account the above orders of the Hon'ble Division Bench and the aforesaid observations, due orders shall be passed on the representation of the petitioner dated 06.03.2026 by the 2nd respondent. Permission shall be granted with such additional conditions as the 2nd respondent may deem fit, within a period of two weeks from the date of receipt of the web copy of the order, as the festival is stated to take place on 13.05.2026. No costs.

06.04.2026

Index: Yes
Speaking Order: Yes
Neutral Citation: No
rgm



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D.BHARATHA CHAKRAVARTHY, J.

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