



W.P(MD)No.15583 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 10.06.2026

CORAM

THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

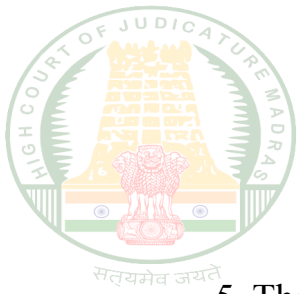
W.P(MD)No.15583 of 2026

T.Elangovan

... Petitioner

Vs.

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The District Revenue Officer,
Office of the District Revenue Officer,
Virudhunagar District,
Virudhunagar.
3. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Sivakasi Revenue Division,
Sivakasi,
Virudhunagar District.
4. The Tahsildar,
Sivakasi Taluk,
Satchiyapuram,
Sivakasi,
Virudhunagar District.



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5. The Deputy Superintendent of Police,
Sivakasi Sub Division,
Sivakasi,
Virudhunagar District.

6. The Inspector of Police,
M. Pudupatti Police Station,
M. Pudupatti,
Virudhunagar District.

7. Venkatalakshmi

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 4 to grant permission and protection for performing the eye opening ceremony on 12.06.2026 as part of the annual Vaigasi Festival of Arulmighu Kalamman Temple situated at Sithamayakanpatti Village Panchayat, Pudukottai Revenue Village, Sivakasi Taluk, Virudhunagar District based on the petitioners representation dated 23.05.2026 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.M.Purushothaman for Mr.K.N.Vijayasenthil Kumar
For R1 to R4	: Mr.P.Rajagopalan Government Standing Counsel
For R5 & R6	: Mr.I.Murugesan Government Advocate (Crl.Side)
For R7	: Mr.S.Ramasamy



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ORDER

The present writ petition has been filed for the following relief:-

“Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 4 to grant permission and protection for performing the eye opening ceremony on 12.06.2026 as part of the annual Vaigasi Festival of Arulmighu Kaliamman Temple situated at Sithamayakanpatti Village Panchayat, Pudukottai Revenue Village, Sivakasi Taluk, Virudhunagar District based on the petitioners representation dated 23.05.2026 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.”

2. Upon hearing the learned counsel appearing for the petitioner and perusing the materials on record, the case of the petitioner is that the eye-opening ceremony forms part of the festival conducted in connection with the said temple. According to the petitioner, the ceremony has been conducted in S.No.1297/12 from time immemorial. However, in the year 2012, the said land was allegedly assigned erroneously to the father of the 7th respondent. It is further stated that the villagers have already submitted a representation to the authorities seeking cancellation of the said assignment.



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3. As a matter of fact, the assignment was granted subject to the condition that construction should be put up within a period of two years, which according to the petitioner has not been complied with. It is the further case of the petitioner that, even after the assignment, the eye-opening ceremony continued to be conducted in the said place. However, the 7th respondent, being the daughter of the assignee, is now preventing the petitioner and the other villagers from conducting the ceremony, which is scheduled to be held on 12.06.2026. Hence, the present writ petition has been filed.

4. The learned counsel appearing for the petitioner would submit that the rights of the 7th respondent in respect of the said property would be subject to the outcome of the pending proceedings. Without prejudice to the rights of the 7th respondent, it was contended that permission may be granted for conducting the festival in the said place for this year alone. It was further submitted that such permission would not prejudice the rights of any party and may be granted purely as a one-time measure.



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5. Per contra, the learned Government Advocate appearing for respondents 1 to 4 would submit that upon a query from this Court, that the proceedings relating to the assignment are still pending and that the assignment patta standing in the name of the father of the 7th respondent has not been cancelled as of date.

6. The learned counsel appearing for the 7th respondent submitted that the 7th respondent is the owner of the property as on date and has objected to the use of the land for conducting the ceremony, notwithstanding the fact that she is also a devotee of the temple.

7. Additionally, the learned counsel submitted that the petitioner owns the adjacent land and has personal enmity with the 7th respondent. Therefore, according to the 7th respondent, the present writ petition has been filed with an ulterior motive.



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8. I have considered the rival submissions made on either side and perused the materials available on record.

9. It may be the case of the petitioner that the temple festival had been conducted in the present survey number for several years. However, so long as the property stands in the name of the 7th respondent and title thereto vests with her, any entry upon or use of the said property can only be with her consent. If permission is granted to the villagers, or police protection is provided to conduct the ceremony on a private patta land despite the objection of its owner, the same would amount to an infringement of the owner's constitutional right to property under Article 300-A of the Constitution of India. Therefore, such a relief cannot be granted.

10. Accordingly, the contention of the petitioner that permission may be granted for this year alone cannot be accepted, and the prayer sought for in the writ petition cannot be granted. However, insofar as the contention relating to the pending proceedings concerning the



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assignment and its possible revocation is concerned, this Court is not expressing any opinion on the merits of the issues involved and is not adjudicating upon the same in the present writ petition. All such issues are left open to be decided in the appropriate proceedings.

11. Accordingly, the writ petition stands disposed of. No costs.

10.06.2026

Neutral Citation: No
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D.BHARATHA CHAKRAVARTHY, J.

rgm

To

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Virudhunagar District,
Virudhunagar.
2. The District Revenue Officer,
Office of the District Revenue Officer,
Virudhunagar District,
Virudhunagar.
3. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Sivakasi Revenue Division,
Sivakasi,
Virudhunagar District.
4. The Tahsildar,
Sivakasi Taluk,
Satchiyapuram,
Sivakasi,
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5. The Deputy Superintendent of Police,
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