



WP.Crl.(MD) No. 5336 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on: 25.09.2026

Delivered on : 30.09.2026

CORAM

THE HONOURABLE DR. JUSTICE P. MURUGAN

**W.P. Crl.(MD) NO. 5336 of
2026**



{CNR: HCMD011356422026} Case QR

Ilango,
S/o Malaiyandi,
Lindira Nagar,
Vannaamparaipatti,
Kottanathampatti Post,
Melur Taluk, Madurai District.

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by The Superintendent of Police,
Madurai District, Madurai.

2. The Inspector of Police,
Keezhavalavu Police Station,
Madurai District.

3. Sivan,
S/o Palani,
Lindira Nagar,
Vannaamparaipatti,
Kottanathampatti Post,
Melur Taluk,
Madurai District.



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4. Arulmani,
S/o Sivan,
Indira Nagar,
Vannaamparaipatti,
Kottanathampatti Post,
Melur Taluk,
Madurai District.

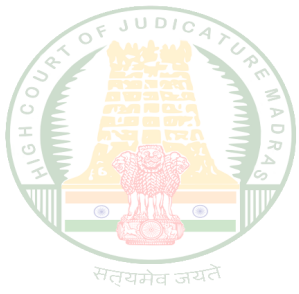
5. Maruthupandi,
S/o Palani,
Indira Nagar,
Vannaamparaipatti,
Kottanathampatti Post,
Melur Taluk,
Madurai District.

6. Kumaresan,
S/o Arulmani,
Indira Nagar,
Vannaamparaipatti,
Kottanathampatti Post,
Melur Taluk,
Madurai District.

7. Senthil,
S/o Sithiraivel,
Indira Nagar,
Vannaamparaipatti,
Kottanathampatti Post,
Melur Taluk,
Madurai District.

8. Pavunraj,
S/o Maruthupandi,
Indira Nagar, Vannaamparaipatti,
Kottanathampatti Post, Melur Taluk,
Madurai District.

... Respondents



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For Petitioner : Mr.S. Sankar

For Respondents : Mr.C.Susikumar,
Government Advocate (Criminal Side)
for R1 & 2

: Mr.N.Karthik Kanna for R3 to 8

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to give permission and police protection to the Puratasi Pal Kudam Festival to be conducted between 17.09.2026 and 27.09.2026 in Arulmigu Sree Nanthi Perumal Swamy Temple situated in Vannamparaipatti Village, Melur Taluk, Madurai.

ORDER

The prayer in this Writ Petition is to issue a Writ of Mandamus, to direct the respondents 1 and 2 to give permission and police protection to the Puratasi Pal Kudam Festival to be conducted between 17.09.2026 and 27.09.2026 in Arulmigu Sree Nanthi Perumal Swamy Temple situated in Vannamparaipatti Village, Melur Taluk, Madurai.

2. The facts narrated in the affidavit of the petitioner is as that he is residing at Vannaamparaipatti, Kottanathampatti Post, Melur Taluk, Madurai District. He is one of the members of Muniyan Vakaiyara in his



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village. Arulmigu Sree Nanthi Perumal Swamy temple is situated in his village which is a 300 years old Temple. It belongs to Muniyan Vakaiyara. It is also a Kuladeivam Temple to the Muniyan Vakaiyara from time immemorial. They used to conduct two important festivals in a year as Pankuni Pongal festival and Puratasi Palkudam Festival.

3. In addition to that they are used to conduct special poojas during Hindu festivals. For this year, their Muniyan Vakaiyara decided to conduct Palkudam festival during the month of Puratasi from 17.09.2026 to 27.09.2026. Last year, in 2025, the third respondent and his relatives created a trouble and tried to spoil the function. They were claiming worshiping right and conducting of festival right in the above said temple. The third respondent also filed a writ petition in W.P.Crl.(MD)No. 1353 of 2025, with a prayer for worshiping and participation right with respect to Arulmigu Sree Nanthi Perumal Swamy Temple.

4. It was disposed of by an order dated 24.09.2025, directing the third respondent herein, who was the petitioner in the said writ petition, to approach before the civil Court for establishing any such right in the above said temple. The private respondents are not Pangalees, but Maman - Machan relationship, as per the customs, they are not eligible to worship

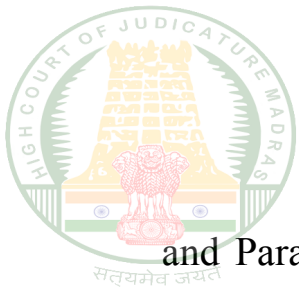


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and participate in the said temple, which belongs to the petitioner Vakaiyara people. As against the writ petition order, the private respondents neither not filed any appeal nor civil suit. In the given circumstances, the private respondents are trying to create problem and want to spoil the Puratasi Palkudam festival.

5. They also parked mini door autos in front of the temple and made hindrance to the petitioner and his Vakaiyara to enter into the temple. It is a clear violation of the religious right enshrined under Articles 25 to 28 of the Constitution of India. For permission and police protection, the petitioner made a representation dated 10.09.2026 to the second respondent, but no action has been taken. Further representation dated 15.09.2026 also sent to the first respondent, but till date no response. Hence, this Writ Petition.

6. Brief facts from the counter filed by the third respondent adopted by the respondents 4 to 8 is as that the respondents 4 and 8 are Minors. All the allegations in the affidavit of the petitioner is false, frivolous, baseless, and unsustainable in law. The subject temple is a common village temple belonging to five distinct lineage/community divisions (Karai Vakaiyaras), including the Pusari, Kathan, Kulukandi,



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and Parai Karuppan lineages, as well as Nalla Pichan (Maman-Machnan Vakaiyara).

7. Nalla Pichan Vakaiyara comprises, around 40 families reside in the temple village. Historically, two of the three main keys to the temple has been under the lawful custody of their lineage as the a fact recognized as in 1962 civil Court decree. The Puratasi festival is a public village celebration, where every traditional Vakaiyara contributes Thalaikattu vari to participate and perform their respective customary rituals. The petitioner and his Muniyan Vakaiyara have been continuously attempting to discriminate, exclude, and marginalize Nalla Pichan Vakaiyara community from paying Thalaikattu Vari and participating in the festival rituals, therefore, attempting to usurp total control over the temple administration.

8. In the referred W.P.Crl.(MD) No. 1353 of 2025, the Muniyan Vakaiyara gave undertaking that there would be no hindrance or interference in the private respondents' worship and participation in the festival. Recording the same, that case was disposed of, directing the parties claiming exclusive administrative title to approach the civil Court. That order was disregarded by the petitioner. For this year, 2026 Puratasi

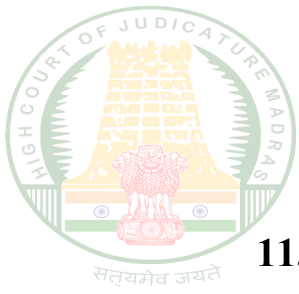


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festival, the petitioner unilaterally refused to accept Thalaikattu vari from Nalla Pichan lineage and he is resorting to illegal social discrimination.

9. The 1962 decree only declares about the Poosari rights and lineage dispute, it no way curtails the temple festival rights of the private respondents. The other allegations are falsified one. Regarding the unjust boycott, exclusion, and threats by the petitioner, the third respondent submitted a detailed representation dated 08.09.2026 to the District Collector, Madurai, and other officials, to permit the Nalla Pichan Vakaiyara to pay Thalaikattu vari, to allow them to perform the traditional worship and rituals without discrimination; and no unilateral police protection or permission to be granted to the petitioner's group to the exclusion of other traditional worshippers.

10. Therefore, this Writ Petition is devoid of merits and liable to be dismissed and to pass suitable direction to the respondents 1 and 2 and revenue authorities to ensure that the Puratasi festival is conducted peacefully and impartially by accepting Thalaikattu vari from all Vakaiyaras including the respondents 3 to 8 Nalla Pichan Vakaiyara, without any discrimination.



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11. Heard both sides. Perused the records. Considered the submissions raised by both sides.

12. The sum and substance of the petitioner's case is as that the subject temple of Arulmigu Sree Nanthiperumal Swamy temple situated in Vannamparaipatti Village, Melur Taluk, Madurai District is a Kulatheivam to the Muniyan Vakaiyara. The private respondents 3 to 8 are not Bangalees, but they are Maman – Machan relationship with the petitioner and the Muniyan Vakaiyara. This fact is not disputed by the private respondents through their counter and also the submission from the learned counsel for the private respondents. Thereby, it is concluded that the petitioner and the private respondents are not Bangalees, but , they are Maman – Machan relationship.

13. It is the case of the petitioner that the subject temple is the Kulatheivam of Muniyan Vakaiyara. However, the respondents 3 to 8 did not dispute whether the said subject temple is the Kulatheivam temple or not, however, the private respondents and their lineage are worshipping the temple from participating in any of the festival is not in dispute.

14. The short issue is that having the private respondents are not Bangalees with the Muniyan Vakaiyara, whether they can be permitted to



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pay Thalaikattu vari is the case to be decided in this case?

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15. The third respondent already approached this Court in W.P.Crl.(MD)No.1353 of 2025 with a prayer to the third respondent therein, i.e. the Inspector of Police, Keezhavalavu Police Station, Melur, Madurai District, to consider all the five Vakaiyara people, including the petitioner therein in Nalla Pichan Vakaiyara people, are allowed to participate without any discrimination, by collecting Thalaikattu vari from them and to permit them to perform their customary rituals in the Purattasi Pongal Festival was scheduled to be conducted on 28.09.2025 at the subject temple.

16. Considering the prayer therein, this Court by and order dated 24.09.2025, ordered the petitioner herein, who was the fourth respondent in that case, has given undertaking that the third respondent herein, who was the petitioner therein, may attend purattasi festival and participate in the worship etc., but as far as the Thalaikattu vari is concerned, the petitioner therein has no right, wherein the petitioner therein is the Maman-Machan relationship with the fourth respondent and others therein. The claim of the third respondent in this case also similar in nature that the petitioner herein has to collect Thalaikattu vari from the



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private respondents, in which the earlier writ petition order dated 24.09.2025 was clear that the relief of the third respondent herein is not maintainable as it involves disputed question of fact and the rights of the parties can only be decided by the civil suit.

17. Having the third respondent's right to pay the Thalaikattu vari was rejected and they have to approach the civil Court to exercise their rights, now the same relief as objection from the private respondents in this writ petition cannot be acceptable and however, the private respondents may work out further remedy before the civil Court whether or not they have a right to pay Thalaikattu vari to the Kulatheivam temple of the petitioner.

18. The counter of the private respondents is as that the respondents 4 and 8 are minors, thereby the case against the minors cannot be entertained, without the guardian. To that aspect, they produced birth certificate of the fourth respondent, who born on 20.10.2009 and eight respondent, who born on 13.05.2010. As per the copies of the birth certificates, the respondents 4 and 8 are minors as on when this petition was filed on 21.09.2026. Therefore, as the writ petition has been filed without impleading their guardians, the petition cannot be entertained as



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against the respondents 4 and 8. Accordingly, this writ petition is dismissed as against the respondents 4 and 8.

19. The private respondents referred the civil Court decree of the year 1962, but, no copy of the decree placed before this Court, to consider the same. However, in the counter, the third respondent stated that the civil Court decree is only for poosari right and lineage curtail and it no way curtails the private respondents temple right. Though the private respondents are relative to the petitioner as Maman – Machan relationship of Nalla Pichan Vakaiyara may also participate in the subject temple, without any hindrance or trouble and to worship also. As far as the concept of Thalaikattu Vari is concerned, the same is to be decided by the Civil Court in a suit instituted by the affected party.

20. The case of the petitioner is that the Muniyan Vakaiyara has been administering the temple from time immemorial of more than 300 years and when a person is administering the temple by customs for more than three contrary is not a right person to approach the Court, wherein, the private respondents claim administration control or payment of Thalaikattu vari to the subject temple and to get the right and control of the temple they only have to go to the civil Court to invoke their right.



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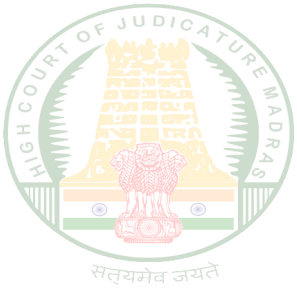
Even as per the earlier order passed by this Court in W.P.Crl.(MD)No.

1353 of 2025 dated 24.09.2026, the private respondents sofar not approached any authority, Therefore, the private respondents have no right to call into question the petitioner's right to conduct two poojas in a year, as per the scheduled dates.

21. The schedule date for the Puratasi Palkudam festival between 17.09.2026 and 27.09.2026, and as of now, the schedule date was over, wherein keeping the matter for pending consideration, one or the other, would render the prayer infructuous. However, if the petitioner could not conduct the said festival on the scheduled dates, he may re-fix the date in due course and intimate the same to the respondent police by submitting a formal request for police protection to conduct the festival.

22. In view of the above, this Writ Petition is disposed of with the following directions:

(i) The petitioner is directed to make a fresh representation to the second respondent with schedule date, if the Puratasi Palkudam festival was not taken place from 17.09.2026 to 27.09.2026 by re-fixing the date in due course and to seek formal permission and police protection to conduct the said festival;



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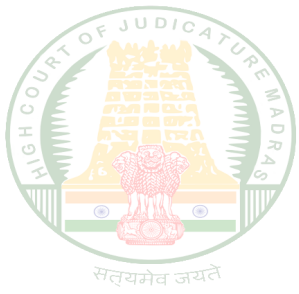
(ii) Once such application is given by the petitioner, the second respondent police is directed to give permission and police protection to the said temple festival at free of cost;

(iii) The private respondents 3 to 8 and other people on their side have right to worship and participate the temple, without any hindrance. In this regard, the petitioner should not make any trouble to the private respondents to participate and worship in the temple;

(iv) As far as the Thalaikattu vari payment claim made by the private respondents is concerned, let them work out remedy before the civil Court by filing a suit; and

(v) If at all the private respondents ready to pay any amount to the temple, let them pay as donation and the same to be received by the petitioner by issuing receipts;

(vi) If the private respondents would make any nuisance, problem, trouble for conducting the temple festival, the second respondent is directed to take appropriate legal action against the erring people during the temple festival; and



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(vii) This writ petition is dismissed as far as the minor respondents 4 and 8 are concerned.

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NCC: Yes/No
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30.09.2026

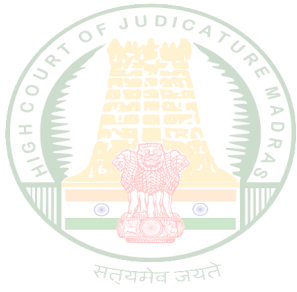
To

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

2. The Inspector of Police,
Keezhavalavu Police Station,
Madurai District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Note: Issue order copy on 30.09.2026



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DR. P. MURUGAN, J.

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**Pre-delivery Order made in
W.P.Crl.(MD) No. 5336 of 2026**

30.09.2026