

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-09-2026

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THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

WP CrI. No. 2522 of 2026



CNR:{HCMA012250022026}

Mahendran,
S/o Somasundaram,
No.99 C/3, Periyar Nagar,
3rd Cross Street, Ariyalur.

Petitioner(s)

Vs

1. The Superintendent of Police,
Office of the Superintendent of Police,
Perumbalur District – 621 212.

2.The Inspector of Police,
Maruvathur Police Station,
Perumbalur District – 621 212.

3.The District Collector,
District Collectorate Office,
Perumbalur – 621 212.

4.The Thasildar,
Office of Thasildar, Alathur Circle,
Perumbalur District – 621 212.

5.Mr.K.Porcheziyan
S/o.Kandasamy, aged 62 years,
residing at Sathanur Village, Alathur Taluk,
Perambalur District.

(R5 is *suo motu* impleaded as per the order of
this court dated 25.09.2026 in WP.CrI.No.2522
of 2026)



6.The Inspector / Fit Person,
Arulmigu Karuppiaswamy Temple,
Sathanur, Alathur Taluk,
Perumbalur District – 621 212.

(R6 *suo motu* impleaded as per the
order of this Court
dated 28.09.2026 in W.P.CrI.No.2522 of 2026)

Respondent(s)

PRAYER

To issue Writ of Mandamus or any other appropriate writ order or direction in the nature of such writ directing the 1st and 2nd Respondents to consider the representation of the petitioner dated 25.08.2026 and give police protection to conduct Kumbabishekam on 25.10.2026 at Sri Madura Kaliyamman Temple, Sri Karuppanna Swamy, Sri Periyasamy, Parivara Thevathai Temple situated at Sathanur Village, Perambalur District and pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances of the case.

For Petitioner(s): Mr.V.Chinnasamy

For Respondent(s): Mr.S.Yogaraja Sekar
Government Advocate (CrI.Side)
for RR 1 to 4

No appearance for R5

Mr.S.Surya
Government Advocate (HR & CE) for R6

ORDER

The “*Inspector / Fit Person, Arulmigu Karuppiaswamy Temple, Sathanur, Alathur Taluk, Perumbalur District – 621 212*”, is *suo motu* impleaded as the 6th respondent to the Writ Petition.



2. Heard Mr.V.Chinnasamy for petitioner, Mr.S.Yogaraja Sekar for respondents 1 to 4.

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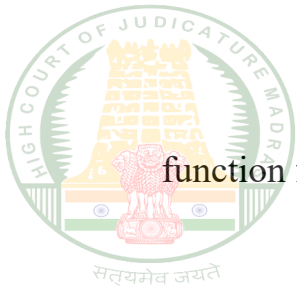
3. The counsel for 5th respondent is absent.

4. Mr.S.Surya, Government Advocate (HR & CE), takes notice for 6th respondent, who is present in Court today.

5. The petitioner seeks a mandamus to the police to afford police protection while conducting Kumbabishekam at the following Temples situated at Sathanur Village, Perambalur District on 25.10.2026:-

- (i) Sri Madura Kaliyamman Temple;
- (ii) Sri Karuppanna Swamy Temple;
- (iii) Sri Periyasamy Temple;
- (iv) Sri Parivara Thevathai Temple.

6. It is the case of the petitioner that Sri Madura Kaliyamman Public Charitable Trust has been managing the aforesaid Temples. They claim that the aforesaid deities are the family deities of the Trustees of the aforesaid Trust. The petitioner claims that renovation of the Temple commenced during the year 2018 and it is nearing completion. They wanted to conduct the Kumbabishekam

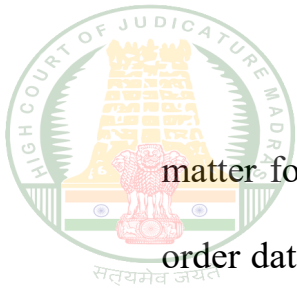


function for the aforesaid Temples on 25.10.2026.

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7. On account of certain objections that have been made in the Village, the petitioners impleaded the officials of HR & CE Department, including the 6th respondent herein and presented a suit in O.S.No.16 of 2026 before the Additional District Munsif Court, Perambalur, seeking the relief of permanent injunction. In the said suit, they also moved an application in I.A.No.03 of 2026, seeking permission from the Civil Court to conduct Kumbabishekam and connected religious rituals for the aforesaid deities.

8. Notice was ordered in the said application and the 6th respondent, who was arrayed as 4th respondent therein, also entered appearance. She engaged a Government Pleader of Hindu Religious and Charitable Endowments (HR & CE) Department and hotly contested the application. After hearing both sides, the learned Additional District Munsif, Perambalur, allowed the application on 18.08.2026, permitting the plaintiffs' therein to conduct the Kumbabishekam on 25.10.2026. It is reported that an appeal has been preferred against the said order to the Sub Court. I have my doubts if such an order is susceptible to an appeal. The order seems to have been passed in exercise of Section 151 read with Section 94 of Code of Civil Procedure and not under any of the provision attracting appeal under Order XLIII Rule 1 of Code of Civil Procedure. This is a

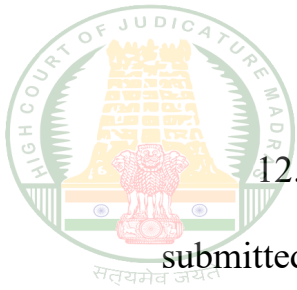


matter for the learned Subordinate Judge to decide. The point remains that the order dated 18.08.2026 has not been kept in abeyance. Therefore, as on today it is valid and in force.

9.It is the grievance of Mr.V.Chinnasamy that despite having been strengthened with the order of the Civil Court, the petitioner herein is prevented from conducting the Kumbabishekam for the aforesaid Temples. Hence, he gave a representation on 25.08.2026 to the respondents 1 & 2, seeking police protection. As it was not considered, he is before this Court.

10.It is the submission of Mr.S.Yogaraja Sekar that the local public are opposing the Kumbabishekam, since the Temple construction is not yet completed. He states the police will comply with any directions that will be given by this Court.

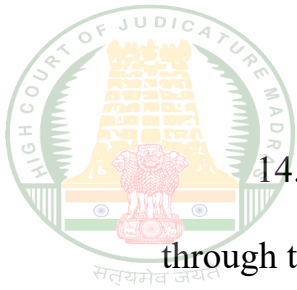
11.Mr.S.Surya reports that the Temple is not a private Temple as claimed by the petitioner, but is under the control of the Hindu Religious and Charitable Endowments (HR & CE) Department from the year 1976 onwards. He claims that the 6th respondent is in management of the Temple and she has been appointed as the “Fit Person”. However, she is not apt for conducting the Kumbabishekam function.



12. On the previous occasion, the learned counsel for the 5th respondent submitted that the petitioners are excluding the members belonging to Scheduled Caste (SC) / Scheduled Tribes (ST) community from participating in the Kumbabishekam. He stated that the attempt of Mr.V.Chinnasamy's client to obtain police protection is to utilise the police force to exclude persons belonging to communities, other than the community of the petitioners, from participating in the Kumbabishekam function. Therefore, this Court called upon Mr.V.Chinnasamy to file an affidavit of undertaking, stating that irrespective of caste, creed or colour, no one will be excluded from participating in the Kumbabishekam festival.

13. The affidavit has been filed by Mr.S.Mahendran, the writ petitioner who is the third plaintiff in O.S.No.16 of 2026. In paragraph No.3 of the affidavit, the petitioner stated as follows:-

“3.I respectfully submit that the Petitioner and other Trustees Sri Madura Kaliyamman Public Charitable Trust shall permit all person's irrespective of their caste and creed to witness including the persons belonging to Forward Communities, Backward Communities, Most Backward Communities, Scheduled Caste and Schedule Tribes and the like to the Kumbabishegam at the time when the same is perform and also the Trustees will take all safety measures for the peacefully perform of the Kumbabishegam event.”

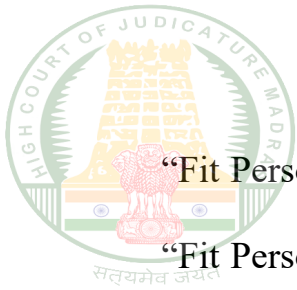


14.I have carefully considered the submissions of all sides. I have gone through the records in detail.

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15.The issue presented before this Court is extremely a simple one. It is not the claim of the private respondent that he is in management of the Temple. The petitioner and the co-trustees of Sri Madura Kaliyamman Public Charitable Trust are constructing the Temple and intend to perform Kumbabishekam is not in dispute. The fear of the Scheduled Castes / Scheduled Tribes persons and persons belonging to other communities, other than the caste of the petitioners, is that they will be excluded from participation. The undertaking which has been extracted above, makes it clear that it is not the intention of the persons in management of the Temples to prevent the members of any community or caste from participating in the Kumbabishekam. That being the position, the fear of the 5th respondent is absolutely unfounded.

16.Insofar as the plea of Mr.S.Surya is concerned, this Court is of the view that the HR & CE Department must encourage the performance of Kumbabishekam, rather than putting spokes in the wheels. Mr.S.Surya states that it is not the intention of the 6th respondent to prevent the Kumbabishekam but wants the petitioner not to prevent the presence of the 6th respondent at the time of performing of the Kumbabishekam. By the very virtue of the office, a



“Fit Person” is entitled to participation in Kumbabishekam. It is the duty of the “Fit Person” to take care of the secular management of the religious institution.

Nonetheless, the petitioner states that they will not prevent the 6th respondent from visiting the Temple and inspecting the same.

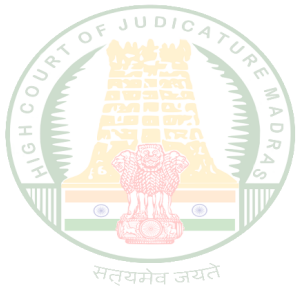
17. Accordingly, this Writ Petition (Criminal) is disposed of on the following terms:-

(I) The 6th respondent and the petitioner shall inspect the Temple and shall file a report before the 2nd respondent that the construction of the Temple is completed in all aspects;

(ii) If such a letter is issued by the petitioner and the 6th respondent, the 2nd respondent shall afford police protection for the purpose of conducting the Kumbabishekam function on 25.10.2026;

(iii) During the time of Kumbabishekam, all persons, irrespective of the caste, creed or colour, shall be permitted to participate in the Kumbabishekam function;

(iv) This Court is not dealing with the right of management as that would have to be dealt with in the suit in O.S.No.16 of 2026, pending on the file of the Additional District Munsif Court, Perambalur;



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(v) In the event any person belonging to the community other than the writ petitioner's community is prevented by the writ petitioner or his co-trustees from participating in the Kumbabishekam function, the police shall swing into action and ensure that such mischievous activity is nipped at the bud and appropriate action be taken against any person(s) indulging in caste politics in the Temple premises.

18. In the result, this Writ Petition (Criminal) stands disposed of. No costs.

28-09-2026

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Index: Yes/No

Speaking/Non-speaking order

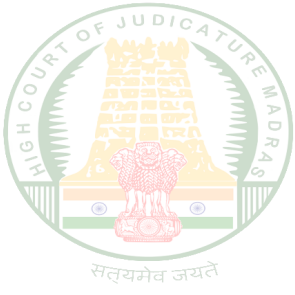
Internet: Yes

Neutral Citation: Yes/No

NOTE: 1. Registry is directed to carry out necessary amendment.
2. Upload order copy on **30.09.2026**.

To

1. The Superintendent of Police,
Office of the Superintendent of Police, Perumbalur District.
2. The Inspector of Police, Maruvathur Police Station, Perumbalur District.
3. The District Collector, District Collectorate Office, Perambalur.
4. The Thasildar, Office of Thasildar, Alathur Circle, Perambalur District.
5. The Inspector / Fit Person, Arulmigu Karuppiaswamy Temple,
Sathanur, Alathur Taluk, Perumbalur District – 621 212.
6. The Public Prosecutor, High Court of Madras, Chennai.



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V.LAKSHMINARAYANAN J.

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