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WP(MD) Nos. 29429 & 29449 of 2



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09-10-2026

CORAM

THE HON'BLE MR JUSTICE P.VELMURUGAN

AND

THE HON'BLE MR JUSTICE K.K. RAMAKRISHNAN

WP(MD) Nos. 29429 and 29449 of 2026

and

W.M.P.(MD)No.22366 of 2026

CNR:{HCMD011471042026}



W.P.(MD)No.29429 of 2026:

Pandiarajan

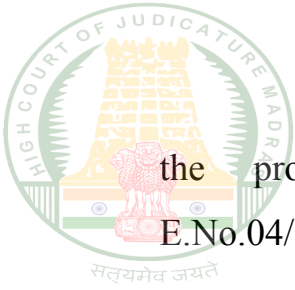
..Petitioner(s)

Vs

1. The District Collector,
Madurai
2. The Commissioner of Police,
Madurai
3. The Superintending Archaeologist,
Archaeological Survey of India,
Trichy Circle,
Trichy - 620002
4. The Executive Officer,
Arulmighu Su9bramaniaswamy
Thriukovil/Deputy Commissioner,
HR and CE Department,
Thiruparankundram,
Madurai District
5. The Inspector of Police,
V3 Thiruparankundram Police Station,
Madurai District.

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records relating to



the proceedings of the third respondent dated 08.10.2026 in
E.No.04/13/MDU/2025-2026/M/2221 and quash the same.

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For Petitioner(s):

Mr.V.R.Shanmuganathan

For Respondent(s):

Mr.J.Bharathan (R1)

Additional Advocate General (V)

assisted by Mr.M.P.Senthli (R1)

Government Pleader

Mr.John Sathyan (R2 & R5)

State Public Prosecutor

Mr.P.V.Balasubramanian (R4)

Additional Advocate General

assisted by Mr.Bharanitharan

Special Government Pleader

Mr.Pon Senthil Kumaran (R3)

W.P.(MD)No.29449 of 2026:

M.Prabhu

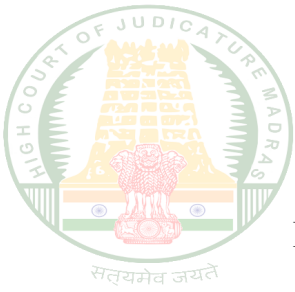
..Petitioner(s)

Vs

1. The Joint Commissioner
Hindu Religious and Charitable Endowments,
Thiruprakundram,
Madurai.
2. Deputy Commissioner / Executive Officer
HR and CE Department,
Subramaniaswami Temple,
Thiruparakundram, Madurai.
3. Archaeological Survey of India
Trichy Circle, Trichy.

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to allow the Villagers to Participate in the Malai Mel Kumarar festival cooking the Kathamabam Satham to serve the Villagers.



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For Petitioner(s):

Ms.J.Padhmaavathi Devi

For Respondent(s):

Mr.Balasubramanian (R1 & R2)
Additional Government Pleader
assisted by Mr.M.P.Senthil
Government Pleader
Mr.Pon Senthil Kumaran (R3)

COMMON ORDER**(Order of the Court was made by P.Velmurugan J.)**

The writ petition in W.P.(MD)No.29429 of 2026 has been filed seeking to quash the order passed by the Superintending Archaeologist, Archaeological Survey of India, Trichy Circle, Trichy, stipulating certain conditions to celebrate the festival, namely Malai Meal Kumarara festival scheduled to be conducted on 09.10.2026 (today).

2. W.P.(MD)No.29449 of 2026 has been filed seeking a direction to the respondents to allow the villagers to participate in the Malai Meal Kumarara festival cooking the Kathambam Satham to serve the Villagers.

3. The contention of the petitioners in both petitions is that villagers of the petitioners are conducting Malai Mel Kumarar festival from time immemorial. This year, the festival is also scheduled to be held on 09.10.2026 (today). According to the petitioners, it is a customary practice to carry the Vel,

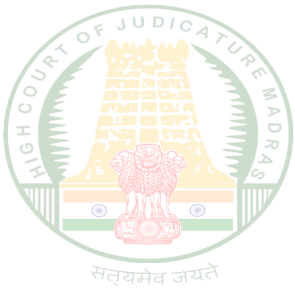


the sacred spear of Lord Muruga, from the temple to the hilltop, where Abhishekam is performed to the Vel. Thereafter, the devotees and villagers assembled there prepare Prasadam, known as 'Kathamba Satham', for distribution among the devotees. In connection with the festival, a peace committee meeting was convened, in which all the stakeholders participated. The petitioner claims to have made all necessary arrangements for the celebration of the festival.

4. The petitioners further submits that the Superintending Archaeologist (I/c) Trichy Circle has forwarded a mail to the Commissioner of Police, Madurai referring to the status quo granted by the Hon'ble Supreme Court. The contents of the said mail is extracted below for ready reference:

"SLP No.28036 of 2026 is presently pending before the Hon'ble Supreme Court of India and Contempt Petition (MD)No.1447 of 2026 is pending before the Hon'ble High Court of Madras, Madurai Bench. Both matters are sub judice. Till final orders are passed by the Hon'ble Courts, the customary and traditional practices as hitherto followed shall be permitted to continue on status quo basis."

5. However, the third respondent, who has no jurisdiction to enter into the issue, has passed the proceedings dated 08.10.2026 in the evening hours imposing several conditions for conducting the function including the prohibition to cook or do any fire related activity in the premises of the Thirupparankundram hill, which is unheard contrary to the religious practice. Aggrieved by the same, the petitioners have filed the present writ petitions.



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6. The learned counsel appearing on behalf of the Superintending Archaeologist has now, produced the proceedings in F.No.04/13/MDU/2025-26/M/2231 dated 09.10.2026, in and by which the Superintending Archaeologist (I/c), Trichy Circle, had withdrawn the condition prohibiting cooking of food/Prasadam on the hilltop of Thiruparankundram Hill.

7. In view of the withdrawal of the condition in dispute, the relief sought in W.P.(MD) No.29449 of 2026 has become infructuous. Accordingly, W.P. (MD) No.29449 of 2026 is dismissed as infructuous.

8. It is further brought to the notice of this Court that the Hon'ble Supreme Court has directed the continuation of customary and traditional practices on a *status quo* basis, as confirmed by the communication issued by the Superintending Archaeologist. In view of the above and the subsequent withdrawal of the condition restricting cooking in the hilltop, no further orders are required in the matter. Accordingly, W.P.(MD) No.29429 of 2026 is disposed of. However, the question of jurisdiction raised by the petitioner in this writ petition is left to the petitioner to be challenged in an appropriate proceedings.



9. The Commissioner of Police, Madurai, is directed to ensure that the festival is conducted peacefully and that adequate measures are taken to maintain law and order. There shall be no order as costs. Consequently, connected miscellaneous petition is closed.

(P.V.,J.) (K.K.R.K.,J.)
09-10-2026

NCC : Yes/No

Internet: Yes/No

Speaking/Non-speaking
ta

To

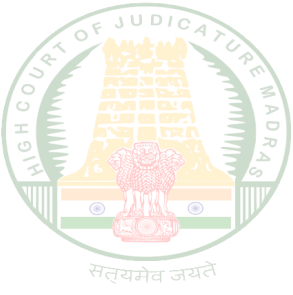
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V3 Thiruparankundram Police Station,
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7. Deputy Commissioner / Executive Officer
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Subramaniaswami Temple,
Thiruparakundram, Madurai.

8. Archaeological Survey of India
Trichy Circle, Trichy.

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