



W.P.(MD).No.11886 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 12.05.2023

CORAM:

THE HONOURABLE Mr. JUSTICE G.R.SWAMINATHAN

W.P.(MD).No.11886 of 2023
and
W.M.P.(MD)No.10315 of 2023

M.Rajendran

... Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Thanjavur.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Pattukottai,
Thanjavur District.
- 3.The Tahsildar,
Pattukottai Taluk,
Thanjavur District.
- 4.The Inspector of Police,
Pattukottai Taluk Police Station,
Thanjavur District.
- 5.V.R.T.Balasubramanian
- 6.Govindaraj



W.P.(MD).No.11886 of 2023

7.Purutchidasan
8.Chellathurai
9.Mathialagan
10.Annathurai

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of a Writ of Mandamus, forbearing the respondents from interfering with the rights of the petitioner community during the conduct of Mandala Abhishekham on any auspicious date in the ensuing month and also to perform all regular poojas and rituals in the temple namely Alampallam Arulmighu Sri Malaimariamman Temple situated at Alamapallam village, Pattukottai Taluk, Thanjavur without taking into consideration the decisions taken during the peace committee meeting dated 10.04.2023.

For Petitioner : Mr.B.Jameelarasu
For Respondents 1 to 4 : Mr.V.Nirmal Kumar
Government Advocate
For Respondents 9 & 10 : Mr.D.R.Murugesan

ORDER

Heard the learned counsel on either side.

2.The petitioner belongs to scheduled caste community. It appears that there are about 75 families residing in the Alampallam village. A dispute arose with regard to conducting of Kumbabishekam and other



W.P.(MD).No.11886 of 2023

related events in the petition mentioned temple. A peace committee meeting was convened. Since local administration intervened and there was an apprehension that the religious ceremonies may not be performed, W.P. (MD)No.10562 of 2023 came to be filed by the fifth respondent herein and an interim direction was also granted in W.M.P.(MD)No.9373 of 2023. Kumbabishekam was performed. In this background, the present writ petition came to be filed.

3.When the matter was taken up for hearing, the learned Government Advocate for the official respondents, on instructions, would submit that yesterday the petitioner and his henchman took part in mandala abhishekham.

4.The petitioner can very well file an impleading application in W.P. (MD)No.10562 of 2023 and canvass his rights, if any. I leave to the said issue open. Even though the temple in question might be located on patta land, the right of the petitioners and others to offer their worship cannot be prevented. The petitioner and others do not require permission from any body to offer their worship in the petition mentioned temple.



W.P.(MD).No.11886 of 2023

WEB COPY

5. With this declaration in favour of the petitioner, this Writ Petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

12.05.2023

NCC: Yes/No
Index: Yes/No
Internet: Yes/No
mrn/cp



W.P.(MD).No.11886 of 2023

To
WEB COPY

- 1.The District Collector,
Office of the District Collector,
Thanjavur.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Pattukottai,
Thanjavur District.
- 3.The Tahsildar,
Pattukottai Taluk,
Thanjavur District.
- 4.The Inspector of Police,
Pattukottai Taluk Police Station,
Thanjavur District.

G.R.SWAMINATHAN, J.



WEB COPY



W.P.(MD).No.11886 of 2023

Mrn/cp

W.P.(MD).No.11886 of 2023

12.05.2023