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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.19132 of 2023
and
W.M.P.(MD)No.15874 of 2023

Thirukumaran

... Petitioner

vs.

- 1.The District Collector,
Madurai,
Madurai District.
- 2.The Assistant Commissioner,
Hindu Religious Charitable
and Endowment Board,
Madurai,
Madurai District.
3. The Thakkar,
Arulmigu Kondalammal Thirukovil,
Nadukottai,
Thirumangalam Taluk,
Madurai District.



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4.The Tahsildar,
Thirumangalam Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 2nd respondent to remove the memorial stones, nearby Arulmigu Kondammal Thirukovil situated in S.No.24/1 at Nadukkottai Village, Thirumangalam Taluk, Madurai District on the basis of our representation dated 12.09.2022 within time stipulated by this Court.

For Petitioner : Mr.C.Jeganathan

For R-1, R-2 & R-4 : Mr.R.Ragavendran
Government Advocate

For R-3 : Mr.S.Manohar

ORDER

This writ petition is filed for Writ of Mandamus, directing the 2nd respondent to remove the memorial stones, near “Arulmigu Kondammal Thirukovil” by considering the petitioner's representation, dated 12.09.2022.



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2. Heard Mr.C.Jeganathan, the Learned counsel appearing for the Petitioner, Mr.R.Ragavendran, the Learned Government Advocate appearing for R-1, R-2 & R-4, Mr.S.Manohar, the Learned Counsel appearing for R-3 and perused the material documents placed on record.

3. The petitioner submitted that he is a devotee of “Arulmigu Kondammal Thirukovil” which is situated in S.No.24/1 at Nadukkottai Village, Thirumangalam Taluk, Madurai District. The people who are residing in 72 villages are worshipping the Deity and there are more than 10,000 ‘Thalakattu’.

4. The contention of the petitioner is that some devotees had planted memorial stones in front of the temple in memory of the death persons. Due to the memorial stones erected adjacent to the temple, now the devotees are finding it difficult to perform Pooja in the temple. Moreover, the devotees and the villagers have decided to renovate the said temple and construct some buildings for basic amenities to the devotees. Therefore, the petitioner and other devotees have



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submitted a representation to the 2nd respondent to grant permission to renovate and construct the temple and also to shift the memorial stones to some other places and the same was not considered.

5. Today, when the matter is taken up for hearing, on instructions the Learned Government Advocate appearing for the official respondents submitted that the District Collector has already directed the Tahsildar, Tirumanagalam Taluk, who is the 4th respondent herein to take appropriate steps to remove the memorial stones.

6. Therefore, this Court is of the considered opinion that the petitioner's request ought to be considered. Therefore, the 4th respondent along with the 3rd respondent shall take effective steps to remove the memorial stones and properly keep the stones in some nearby place or any other land in nearby area, without affecting any persons. If any “Law and Order” problem arises, the 4th respondent shall approach the police officials for protection. The said exercise



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shall be completed within a period of four months from the date of receipt of a copy of the order.

7. With these terms, this Writ Petition is disposed of. No Costs.

Index : Yes / No
Internet : Yes
NCC : Yes / No
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