



W.P.(MD)No.20169 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 21.08.2023

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THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.20169 of 2023

1.S.Prabakaran
2.Sundaram

... Petitioners

Vs

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

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

3.Kalai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 & 2 herein to collect temple tax from petitioner and permit petitioners to participate in the Kumbabisekam of the Malayaperumal Temple being conducted on 23.08.2023 at Malayaperumal Temple in melavalasai Manramalai Melur Taluk, Madurai District and not to excommunicate them from the village on the basis of petitioners' representation dated 15.08.2023.

For Petitioner	: Mr.S.Sundarapandian
For R1 & R2	: Mr.B.Thanga Aravindh Government Advocate (Criminal side)
For R3	: Mr.R.Anand



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ORDER

This Writ Petition is filed under Article 226 of the Constitution of India seeking for a direction to the respondents 1 & 2 herein to collect temple donation from petitioner and permit petitioners to participate in the Kumbabisekam of the Malayaperumal Temple being conducted on 23.08.2023 at Malayaperumal Temple in melavalasai Manramalai Melur Taluk, Madurai District and not to excommunicate them from the village.

2. It is submitted by the learned counsel for the petitioners that both the petitioners are married to the persons belonging to the other caste thereby, they have not allowed to worship in the temple and that for the same reason even donation is not being collected from them.

3. Mr.R.Anand, learned counsel for the third respondent submits that the petitioners were never prevented from participating in the temple festivals including worshipping the deity and that insofar as the donations are concerned, a Hundi is being kept in the temple and all the devotees including the petitioner are permitted to put their offerings in the Hundi.

4. The learned Government Advocate (Crl.side) appearing for the

<https://www.mhjudiciary.org> respondents on the other hand submitted that the petitioners application was



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received and the same was registered as C.S.R.No.412 of 2023 and summons have been issued for enquiry and insofar as the worshipping in the temple and participating in the Kumbabishekam, the respondent police will provide sufficient police protection.

5. Considering the submissions made by the learned counsel for the petitioners, learned counsel for the third respondent and the learned Government Advocate (Crl.side) and on perusal of the documents available before this Court, this writ petition is disposed of directing the respondents 1 & 2 to dispose of the representation of the petitioner, dated 15.08.2023 without any delay since the Kumbabhisekam is scheduled to be held on 23.08.2023 and to provide suitable protection to the petitioner for offering their prayers. The third respondent is requested to inform the counter part not to cause any hindrance to the petitioners. No costs.

21.08.2023

NCC:yes/no

Index:yes/no

Internet:yes/no

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Note: Issue Order Copy on 22.08.2023



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- 1.The Superintendent of Police,
Madurai, Madurai District.
- 2.The Inspector of Police,
Keelavalavu Police Station,
Keelavalavu,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN, J.

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