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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)Nos.22069 & 24311 of 2019

W.P.(MD)No.22069 of 2019

V. Chandrasekar

... Petitioner

Vs

1. The District Collector,
Trichy District,
Trichy-620 001.
2. The Tahsildar,
Manapparai Taluk,
Trichy-621 306.
3. The Deputy Inspector General of Police,
Trichy Range,
Trichy-620 020.
4. The Deputy Superintendent of Police,
Manapparai Sub Division,
Manapparai,
Trichy-621 306.



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5. The Inspector of Police,
Manapparai Police Station,
Manapparai,
Trichy-621 306.

6. P. Rajendran

7. V. Perumal

8. N. Chinnathamni

9. A. Thangavel Respondents

[R6 to R9 impleaded vide Order of this Court, dated 22.11.2019]

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus to direct the respondents to take appropriate action to open the Arulmigu Sri Rajakaliamman Temple situated in Natham Survey o. 374 meant for worship by all the common people of our village and to perform daily Poojas, Ceremonies regularly.

For Petitioner : Mr.J.Sanjoy Vignesh

For R-1 & R-2 : Mr.S.P.Maharajan
Special Government Pleader

For R-3 to R-5 : Mr.K.Sanjai Gandhi
Government Advocate (Criminal Side)

For R-6 to R-9 : Mr.M.Karthikeya Venkitachalapathy



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W.P.(MD)No.24311 of 2019

N.Periyasamy

... Petitioner

vs.

1.The District Collector,
Trichy District, Trichy.

2.The Thasildar,
Manapparai taluk,
Trichy District.

3.The Deputy Superintendent of Police,
Manapparai, Trichy District.

4.The Inspector of Police,
Manapparai Police Station,
Trichy District.

5.K.Periyasamy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to permit the Petitioner and other villagers to conduct day to day poojas in Sri Raja Kaliyamman temple situated at Kalathupatti, Mondippatti village, Manapparai Taluk, Trichy District.



For Petitioner : Mr.M.Karthikeya Venkitachalapathy
For R-1 & R-2 : Mr.S.P.Maharajan
Special Government Pleader
For R-3 & R-4 : Mr.K.Sanjai Gandhi
Government Advocate (Criminal Side)
For R-5 : No appearance

COMMON ORDER

These writ petitions have been filed for Writ of Mandamus directing the respondents to permit the petitioners and other villagers to conduct day to day poojas in Sri Raja Kalamman temple situated at Kalathupatti, Mondippatti village, Manapparai Taluk, Trichy District.

2. The contention of the petitioners is that the 5th respondent Periyasamy had created some problem, hence the Revenue Officials have intervened in the matter and closed the temple and handed over the key to the Village Administrative Officer. Pending Writ Petition, the 5th respondent has



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constructed a new temple and he is administering the said new temple. However, the present temple is closed due to dispute.

3. As on now, there is no dispute, since the 5th respondent has constructed the new temple. Therefore, the petitioners are seeking permission to open the temple.

4. The petitioners are directed to give an undertaking that they will not create any Law and Order problem. On receipt of the such undertaking from the petitioners, the Tahsildar is directed to open the temple for daily pooja and allow the devotees to visit the temple.

5. The petitioner along with other villagers and the Tahsildar shall take inventory regarding the properties of the temple and the inventory shall be handed over to the Tahsildar.



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6. With these observations and directions, these Writ Petitions are allowed. There shall be no order as to costs.

Index : Yes / No
Internet : Yes
NCC : Yes / No
Sml/Ksa

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Common Order made in
W.P.(MD)Nos.22069 & 24311 of 2019

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24.08.2023