



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2015

CORAM

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THE HON'BLE MR.JUSTICE S.VAIDYANATHANW.P.(MD) No.23405 of 2015
and MP(MD)No. 1 of 2015

R.Rathina Mariappan
S/o.Rathinagiri Asari
Sro Samayapuram Mariamman Temple priest
Sankaranair Street
Avaniapuram
Madurai.

... Petitioner

Vs.

1. The Commissioner of Police,
Office of the Commissioner of Police,
Madurai.
2. The Inspector of Police,
Avaniapuram Police Station,
Avaniapuram
Madurai District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 02.12.2015 and to direct the 2nd respondent for not to disturb the peaceful worship of the public temple name as Sri Samayapuram Mariamman Temple situated at Sankaranair street, Avaniapuram, Madurai - 625 012.

For Petitioner : Mr.A.Balaji

For Respondents : Mr.D.Muruganandham
Addl.Govt.Pleader

O R D E R

This petition has been filed, seeking a direction to the respondents to consider the petitioner's representation dated 02.12.2015 and to direct the 2nd respondent not to disturb the peaceful worship of the public temple, by name, Sri Samayapuram Mariamman Temple situated at Sankaranair street, Avaniapuram, Madurai - 625 012.

2.It is the case of the petitioner that the petitioner is the priest of the temple, by name, Sri Samayapuram Mariamman Temple at Avaniapuram, Madurai. For the past 60 years, they are conducting poojas and people around the area are also worshipping the temple. While so, the 2nd respondent insisted the petitioner to demolish the said temple, as it was



an old temple and it is not in good condition. Hence, the petitioner and others have sent representations to the respondents. However, the same is pending and hence, he has come up with this writ petition.

3. Heard the Additional Government Pleader for the respondents.

4. Whether the temple is in a good condition or not or it should be demolished or not, are all matters for the authorities to consider. Therefore, the relief as sought for by the petitioner cannot be granted by this Court. Accordingly, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

To:

1. The Commissioner of Police,
Office of the Commissioner of Police,
Madurai.
2. The Inspector of Police,
Avaniapuram Police Station,
Avaniapuram
Madurai District.

+1cc to Special Government Pleader in SR.No. 76329.

+1cc to M/S.A.Balaji, Advocate in SR.No. 76272

TS/18.01.2016/2P-5C/AAL-MPA

W.P. (MD) No.23405 of 2015

22.12.2015