



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.03.2018**

CORAM:

**THE HONOURABLE MS.INDIRA BANERJEE, CHIEF JUSTICE
AND**

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

W.P. [MD] .No.4567 of 2018

and

W.M.P. [MD] .No.4658 of 2018

P.T.Nehru

: Petitioner

Vs.

1. The District Collector
Madurai District,
Madurai.
2. The Superintendent of Police,
O/o. The Superintendent of Police,
Madurai District
Madurai.
3. The Tahsildar
Melur,
Madurai District
Madurai.
4. The Inspector of Police,
Keezhavalavu Police Station,
Melur, Madurai District

5. Marimuthu

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondent Nos.1 to 4 to permit the petitioner and his community people to conduct the "Puravi Eduppu Vizha" festival in Sri Nandhi Perumal Temple situated in Thaniyamangalam Village, Melur Taluk, Madurai District, which is scheduled to be conducted on 27th to 28th of March 2018, or in any future date within the time period stipulated by this Court.

For Petitioner
For Respondents

: Mr.T.Lajapathi Roy
: Mr.A.K.Baskara Pandian,
Special Government Pleader
for R.1 to R.4
Mr.C.Selvaraj for R.5

**O R D E R***********

[Order of the Court was made by **The Hon'ble Chief Justice**]

Disputes have arisen with regard to rights of worship in the Sri Nandhi Perumal Temple situate at Thaniyamangalam Village, Melur Taluk, Madurai District. According to the petitioner, the Puravi Eduppu Festival is scheduled to be conducted on 27th and 28th March, 2018 or in any future date.

2. From the submissions made by the respective parties, it appears that the Temple, which has been in existence for hundreds of years, is on Government land. It is not under the control of the Hindu Religious Charitable and Endowments Department of the Government of Tamil Nadu. It appears that it is being run by certain people of the village. The source of their right to run and/or administer the Temple is not clear. There does not appear to be any trust or any other registered body to administer the trust. It is not clear whether there is any committee for the temple and if so, how the members of the committee are chosen to take decisions with regard to the performance of rituals and prayers at the Temple in question. Peace keeping meetings conducted amongst persons of different caste groups, it seems, have not yielded much result.

3. A Temple, obviously, has to be run by a group of persons, who would necessarily have to take decisions. Every member of the religious community cannot insist on rituals of and worship as per his / her own wish. In our view, the matter can only be resolved if the Temple is taken over by the Hindu Religious Charitable and Endowments Department of the Government of Tamil Nadu.

4. The writ petition is disposed of, by directing the Department of Hindu Religious Charitable and Endowments Department of the Government of Tamil Nadu to take control of the Temple at the earliest and to ensure that worship at the Temple is conducted in such manner that no caste group is denied the right of worship at the Temple. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector

<https://hcservices.ecourts.gov.in/hcservices/>
Madurai District,
Madurai.



2. The Superintendent of Police,
O/o. The Superintendent of Police,
Madurai District
Madurai.

3. The Tahsildar
Melur,
Madurai District
Madurai.

4. The Inspector of Police,
Keezhavalavu Police Station,
Melur, Madurai District.

+1cc to Mr.C.Selvaraj, Advocate Sr.No.57870
+1cc to Spl.Government Pleader Sr.No.58397
+1cc to Mr.T.Lajapathi Roy, Advocate Sr.No.57721

RR/GK

VB/KKR/SAR3/11.04.2018/3P/8C

**ORDER MADE IN
W.P. [MD] .No.4567 of 2018
AND WMP No.4658 of 2018
23.03.2018**