



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.6798 of 2018

and W.M.P. (MD) No.6509 of 2018

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S.Kannan

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.

2.The Deputy Superintendent of Police,
Singampunari Taluk,
Sivagangai District.

3.The Inspector of Police,
Thirukostiyoore Police Station,
Sivagangai District.

4.P.Pandyan

5.S.Ravichandran

6.V.Karuppaiah

7.S.kesavan

8.S.Machakalai

9.P.Balakumar

10.K.Muthaiah @ Bhaskar

11.B.Muralidharan

12.B.Saravanan

13.S.Pillappan

14.K.Kalidass Yadav

15.K.Periasamy

16.A.L.Muthaiah (temple Poosari)

17.K.Periyakaruppan

18.S.P.Natarajan

... Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Mandamus, directing the respondents herein to consider petitioner's representation dated 13.03.2018 and to permit the petitioner and his family members to enter into the Srivelangudi Sambirani Karuppara Temple Home which is situated at Aralikottai, Singampunari Taluk, Sivagangai District and offer prayers by providing adequate police protection to the petitioner and his family.

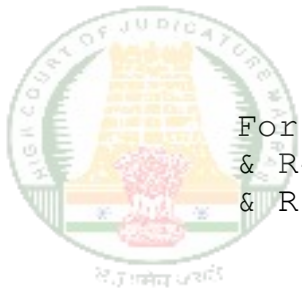
For Petitioner

: Mr.Ajmal Khan

Senior Counsel,for M.Shakul Hameed

: Mr.M.Karuppasamy

Government Advocate



For R7
& R4 to R6
& R9 to R17

: Mr.AL.Sundaresan
Senior counsel
for Mrs.AL.Ganthimathi
: Mr.P.Edwin Brough

For R18

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O R D E R

This writ petition has been filed seeking a direction to the respondents herein to consider petitioner's representation dated 13.03.2018 and to permit the petitioner and his family members to enter into the Srivelangudi Sambirani Karuppara Temple Home which is situated at Aralikottai, Singampuranari Taluk, Sivagangai District and offer prayers by providing adequate police protection to the petitioner and his family.

2.Heard the learned senior counsel appearing for the petitioner, the learned Government Advocate(Crl.side) appearing for the respondents 1 to 3, the learned counsel appearing for the respondent No.18 and Mr.A.R.L.Sundaresan, learned Senior Counsel appearing for Mrs.AL.Gandhimathi, the learned counsel for the seventh respondent. Mr.A.R.L.Sundaresan, learned Senior Counsel appearing for Mrs.AL.Gandhimathi, undertakes to file vakalat on behalf of the respondents 4 to 6 and the respondents 9 to 17 also.

3.The learned counsel appearing for the petitioner submitted that the petitioner has filed the present writ petition seeking permission to enter into the Srivelangudi Sambirani Karuppara Temple Home which is situated at Aralikottai, Singampuranari Taluk, Sivagangai District and offer prayers by providing adequate police protection to the petitioner and his family members alone.

4. According to the petitioner, the petitioner and his family members were ex-communicated and not allowed to enter into the temple to worship God. Therefore, the petitioner is before this Court.

5. A counter affidavit has been filed by the seventh respondent. It is useful to extract paragraph No.20 of the said counter affidavit, which reads as follows:

20. I respectfully submit and reiterate that no one is prevented the petitioner or his family members from offering worship in the temple or in the Kovil Veedu. It is only the petitioner and his son who have openly stated that they do not faith in the religious worship being done by all the pangalies. As such we have no objection whatsoever for the petitioner to offer worship in the temple and also participate in the prayers in the Kovil Veedu provided the petitioner and his son swear that they have faith in the Karuppar Sany and on the Samiyadis. Further, petitioner and his son should not disturb or disrupt the worship by other



pangalies and the family members.

6. The learned counsel for the respondent No.18 has also filed a counter affidavit by stating that the respondent No.18 has no objection for passing orders in the writ petition.

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7. In the light of paragraph No.20 of the counter affidavit filed by the seventh respondent, which is extracted above, the writ petition is disposed of. No costs. Consequently, connected W.M.P. (MD) No.6509 of 2018 is closed. The petitioner shall not create any nuisance or problem at the time of worship.

Sd/

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.

2.The Deputy Superintendent of Police,
Singampunari Taluk,
Sivagangai District.

3.The Inspector of Police,Thirukostiyoore Police Station,
Sivagangai District.

+1cc to M/s.Special Government Pleader,SR.No. 62736

+1cc to Mr.M.SHAKUL HAMEED, Advocate, SR.No.62573

+1cc to Mr.AL.GANTHIMATHI, Advocate, SR.No.62660

W.P. (MD) No.6798 of 2018
and W.M.P. (MD) No.6509 of 2018
20.04.2018

CM

KK/SV MMS/28.04.2018/SAR-4/3P-7C