



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.[MD]No.8567 of 2021

P.Kamala

... 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,
O/o. Tahsildar,
Thirumangalam Taluk,
Madurai District,
Madurai.
- 4.The Joint Commissioner,
Hingu Religious and Charitable Endowments,
Ellis Nagar,
Madurai - 625 016.
- 5.The Inspector of Police,
Chekkanurani Police Station,
Madurai District,
Madurai.

6.Muthaiyah

7.Kodi Chandrasekar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 4 to enable the petitioner and members of her community people to enter into the Pekkaman Karuppasamy Temple, Thirumangalam Taluk, Madurai District and consequently directing



the respondents 1 to 4 to allow the Scheduled Caste people to worship the temple within the time period stipulated by this Court.

For Petitioner : Mrs.Syed Seeniyammal
For M/s Lajapatho Roy. T
For Respondents 1, 2, 3 & 5 : Mr.N.Shanmuga Selvam,
Additional Government Pleader
For Respondent No.4 : Mr.K.P.Narayana Kumar

O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

With the consent on either side, this Writ Petition itself is taken up for final disposal.

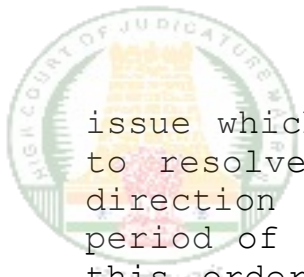
2.Heard Mrs.Syed Seeniyammal, learned Counsel appearing for the petitioner, Mr.N.Shanmuga Selvam, learned Additional Government Pleader appearing for the respondents 1, 2, 3 and 5 and Mr.K.P.Narayana Kumar, learned Counsel appearing for the fourth respondent.

3.This writ petition styled as a Public Interest Litigation has been filed alleging that the petitioner and others belonging to their community are not permitted to worship the deity in a temple which according to the petitioner is situated in a public land.

4.The learned Additional Government Pleader appearing for the official respondents, on instructions, submitted that the temple is not under the control of Hindu Religious and Charitable Endowments Department. It is a private temple established by the seventh respondent community and it is a family deity and the sixth respondent is performing pooja, who belong to a different community, namely, the community of the petitioner.

5.It appears that only 10 members of the community to which the writ petitioner belong are permitted to worship. It is not clear as to why such a restriction is imposed. If the submissions of the learned Counsel appearing for the petitioner is correct, the private temple situated in a public land, then the authorities should consider as to whether the seventh respondent can prevent any person from entering the temple.

6.In any event, this issue cannot be resolved in a writ petition. Therefore, we direct the third respondent to consider the petitioner's representation and examine as to whether there is any violation of the provisions in the claim of the petitioner and what was the



issue which has precipitated the problem and make every endeavour to resolve the controversies and put an end to the issue. This direction be complied with by the third respondent, within a period of twelve [12] weeks from the date of receipt of a copy of this order. Since no positive direction is issued against the sixth and seventh respondents, while examining the representation of the petitioner, the Tahsildar, Thirumangalam Taluk, shall issue notice to the sixth and seventh respondents and also to the writ petitioner.

7. With the above direction, the Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS-)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The District Collector,
Madurai District, Madurai.
2. The Superintendent of Police,
O/o. The Superintendent of Police,
Madurai District, Madurai.
3. The Tahsildar,
O/o. Tahsildar,
Thirumangalam Taluk,
Madurai District, Madurai.
4. The Joint Commissioner,
Hingu Religious and Charitable Endowments,
Ellis Nagar, Madurai - 625 016.



5.The Inspector of Police,
Chekkanurani Police Station,
Madurai District,
Madurai.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-17829[F] dated
28/04/2021)

+1 CC to M/s.SPL GP (SR-17967[F] dated 28/04/2021)

+1 CC to M/s.SPL GP (SR-18066[F] dated 29/04/2021)

ORDER MADE IN
W.P. [MD]No.8567 of 2021
DATED
27.04.2021

(CO)
AS(12.05.2021) 4P9C