



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.04.2021**

CORAM

THE HON'BLE MR.JUSTICE T. S. SIVAGNANAM

and

THE HON'BLE MRS.JUSTICE S.ANANTHI

W.P. (MD)No.8839 of 2021

and W.M.P. (MD)No.6650 of 2021

S.Sridharan

... Petitioner

-Vs-

- 1.The Chief Secretary to Government,
Government of Tamil Nadu,
Secretariat, Chennai - 600 009.
- 2.The Commissioner,
HR & CE Department,
119, Uthamar Gandhi Salai,
Nungambakkam, Chennai - 600 034.
- 3.The Joint Commissioner and Executive
Officer,
Arulmigu Adikesava Perumal Thirukovil,
Thiruvattaru, Kalkulam Taluk,
Kanyakumari - 629 171.
- 4.The Joint Commissioner,
HR & CE Department,
Trivandrum High Road,
Palayamkottai,
Tirunelveli - 627 002.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a writ of Mandamus, directing the respondents not to use acrylic or any paint other than herbal / mural paint in Arulmigu Adikesava Perumal Thirukovil, Thiruvattaru, Kalkulam Taluk, Kanyakumari - 629 171 in any manner, and to remove the Granite Slabs laid on the Prakarams of the temple.

For Petitioner : Mr.S.Sridharan,
<https://hcservices.ecourts.gov.in/hcservices/>



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Party-in-person.

For respondents : Mr.K.P.Narayana Kumar,
Spl. Govt. Pleader for R1
Mr.K.P.Narayanakumar,
Spl. Govt. Pleader for R2 & R4
Mr.K.Sathiya Singh,
Addl. Government Pleader for R3

ORDER

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

The petitioner, who is a practising advocate, has filed this Writ Petition styled as a Public Interest Litigation praying for a direction upon the respondents not to use acrylic or any paint other than herbal / mural paint in Arulmigu Adikesava Perumal Thirukovil, Thirvattaru, Kalkulam Taluk, Kanyakumari - 629 171 in any manner, and to remove the Granite Slabs laid on the Prakarams of the temple.

2. The petitioner would place reliance on a newspaper report dated 02.11.2020, wherein it has been reported that the Commissioner of HR & CE, has inspected the Thiruvattaru Adikesava Perumal Thirukovil. Thereafter, the petitioner has issued a legal notice on 21.11.2020 and for which he received a reply from the Joint Commissioner/Executive Officer, Kanyakumar District Temples, Suchindrum, dated 31.12.2020 and thereafter, he has filed this Writ Petition.

3. The concern of the petitioner is that the mural painting work, which have been carried out, has to be properly monitored and acrylic paint should not be used for the renovation works.

4. From the reply dated 31.12.2020, we note that the artists, who have been employed, are stated to be Orthodox tradition and they have vowed to use only natural pigments in their works including herbal colours like "Neelambari". Furthermore, the nature of the other works, which have been carried on, have also been mentioned.

5. Considering the stand taken by the respondents in the reply dated 31.12.2020, we are of the view that there is nothing alarming as pointed out by the petitioner. But, nevertheless, the matter requires to be monitored, especially when the petitioner has deep concern about the works, which are already done before the inspection by the Commissioner. Therefore, we direct the Commissioner, HR & CE Department to closely monitor the progress of the restoration and repair works carried out and ensure that the heritage structure is preserved.



6. With the above observation, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (CSII)

// 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.

vsm

To

- 1.The Chief Secretary to Government,
Government of Tamil Nadu,
Secretariat, Chennai - 600 009.
- 2.The Commissioner,
HR & CE Department,
119, Uthamar Gandhi Salai,
Nungambakkam, Chennai - 600 034.
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- 4.The Joint Commissioner,
HR & CE Department,
Trivandrum High Road,
Palayamkottai,
Tirunelveli - 627 002.

+1 CC to M/s.K.SATHIYA SINGH, Advocate (SR-18225[F] dated 30/04/2021)

+1 CC to M/s.GP (SR-18374,SR-18442[F] dated 03/05/2021)

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Order made in
W.P. (MD)No.8839 of 2021
and W.M.P. (MD)No.6650 of 2021

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GS (11.06.2021) 4P 7C