

**W.P.No. 586 of 2022****A.D.JAGADISH CHANDIRA.J.,**

This matter is posted to-day under the caption, "**for being mentioned**" at the instance of the learned Government Advocate appearing for the 4th respondent/HR & CE Department.

2. It is submitted by the learned Government Advocate appearing for the 4th respondent that in the counter affidavit filed by the 4th respondent in paragraph No.8, it has been specifically stated that those idols are having antiquity value and any inscription to be made is highly illegal, but, there is no mention about the same in the order passed by this Court dated 11.02.2022 in paragraph 3 while discussing about the counter affidavit of the 4th respondent. Therefore, he requested to incorporate the same in the said order.

3.The learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondents 1 to 3 have no objection for the same.

4.In view of the above, last line in paragraph No.3 of the order dated 11.02.2022, shall be read as follows:

"...It is further stated therein that the temple comes under the control of HR & CE Department and hence, it is only the HR & CE Department which has to take steps for renovation of the temple and that the temple has got valuable idols of antiquity value and third parties cannot be permitted to do renovation works and make any inscription in the idols"



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A.D.JAGADISH CHANDIRA.J.,

5.The Registry is directed to carry out necessary corrections in the order dated 11.02.2022 and issue a fresh order copy to the parties.

18.02.2022

vkx/nst

W.P.No. 586 of 2022



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Date : 11.2.2022.

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THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Writ Petition No.586 of 2022

M.Selvakumar
Petitioner

vs.

1. State rep. by
Superintendent of Police,
Villupuram District,
Villupuram.
 2. The Deputy Superintendent of Police,
Gingee, Villupuram.
 3. The Inspector of Police,
Gingee Police Station,
Gingee, Villupuram District.
 4. The Executive Officer,
HR & CE, Thakkar,
Muthumariamman Koil,
Maniyampattu Village,
Office at Muthuvinayagar @ Mottai,
Vinayagar Koil,
Avalurpettai, Melmalaiyanur Taluk,
Villupuram District.
 5. Devanathan
 6. Muthu
 7. Ranganathan
 8. Rajaram
 9. Pannerselvam
 10. Subramani
 11. Nagasamy
- Respondents

Writ Petition filed under Article 226 of the Constitution of

India seeking issuance of a writ of mandamus directing third



respondent to give police protection to the petitioner to renovate the Muthumariamman temple situated at Maniyampattu Village, Kongarapattu Post, Gingee Taluk, Villupuram District for a period of 15 days.

For Petitioner : Mr.U.Venkatesan

For R1 to R3 : Mr.A.Gokulakrishnan, APP

For R4 : Mr.K.Karthikeyan, G.A. for HR&CE

ORDER

The petition has been filed seeking issuance of a writ of mandamus directing third respondent to give police protection to the petitioner to renovate the Muthumariamman temple situated at Maniyampattu Village, Kongarapattu Post, Gingee Taluk, Villupuram District for a period of 15 days.

2. It is the claim of the petitioner that he is the hereditary trustee of temple the Muthumariamman temple situated at Maniyampattu Village, Kongarapattu Post, Gingee Taluk, Villupuram District. The petitioner claims that the had been constructed 200 years ago and his grandfather Jadaiyandi Gounder was the hereditary trustee for 40 years and he died 2-1/2 years back and after his death, the petitioner had been continuing to be the hereditary trustee. The petitioner had filed the present writ petition seeking for a direction to the third respondent to provide police protection to renovate the temple.

3. The Executive Officer, HR & CE, Thakkar,

<https://www.mhcoj.madras.gov.in/judis> Muthumariamman Koil has filed counter today stating that the temple



is now under the supervisory control of HR & CE Department, Villupuram and the administration of the temple is also vested with the fourth respondent. It is further stated that neither the petitioner nor his ancestors were trustees of the temple and there is a dispute between two groups, who are residents of the nearby village, with regard to celebrating the temple festival and when a peace meeting was conducted on 3.11.2021 by the Tahsildar, of Gingee, the Sub Inspector of Gingee and the Inspector of HR & CE Department, the dispute could not be settled so far. It is further stated therein that the temple comes under the control of HR & CE Department and hence, it is only the HR & CE Department which has to take steps for renovation of the temple and that the temple has got valuable idols and third parties cannot be permitted to do renovation works.

4. In view of the fact that the petitioner has no right to renovate the temple, the prayer of the petitioner cannot be sustained. The writ petition stands dismissed.

5. At this juncture, the learned counsel for the petitioner would submit that the Masi Magam festivals falls on 16.2.2022 and that adequate police protection may be given to conduct the temple festival.

6. The learned Additional Public Prosecutor would submit that it is within the purview of the fourth respondent to take steps and if the fourth respondent gives any request for police protection, it



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7. Recording the submissions made by the learned
Additional Public Prosecutor and the learned Government Advocate,
the writ petition stands dismissed. No costs.

11.2.2022.

Index: Yes/No.

Internet: Yes/No.

Note to office:

**Issue copy of this order
by 14.2.2022.**

To

1. Superintendent of Police,
Villupuram District,
Villupuram.
2. The Deputy Superintendent of Police,
Gingee, Villupuram.
3. The Inspector of Police,
Gingee Police Station,
Gingee, Villupuram District.
4. The Executive Officer,
HR & CE, Thakkar,
Muthumariamman Koil,
Maniyampattu Village,
Office at Muthuvinayagar @ Mottai,
Vinayagar Koil,
Avalurpettai, Melmalaiyanur Taluk,
Villupuram District.



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A.D.JAGADISH CHANDIRA, J.

ssk.

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11.2.2022.