



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P (MD).No.5264 of 2022

and

W.M.P (MD)No.4703 of 2022

WEB COPY

C.Saravanamuthu

...Petitioner

Vs.

1.The Superintendent of Police,
Dindigul District,
Dindigul.

2.The Inspector of Police,
Natham Police Station,
Natham.

3.R.Udhayakumar

...Respondents

(*R3 impleaded vide order dated 05.04.2022)

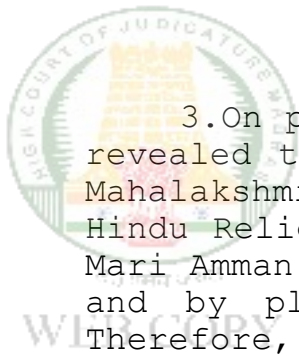
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to grant police protection and permission to conduct the festival in the Senthurai, Kurumbapatti village, Sri Maariamman Thirukovil at Natham Taluk, Dindigul district on 10.04.2022, 11.04.2022, 12.04.2022 by considering the petitioner's representation, dated 21.03.2022.

For Petitioner	:	Mr.S.Mohan Raj
For R1 & R2	:	Mr.B.Thanga Aravindh Government Advocate(Crl.Side)
For R3	:	Mr.H.Lakshmi Shankar

ORDER

The writ petition has been filed in the nature of Mandamus, seeking a direction to the second respondent to grant police protection and permission to conduct the festival in the Senthurai, Kurumbapatti Village, Sri Maariamman Thirukovil at Natham Taluk, Dindigul District on 10.04.2022, 11.04.2022 and 12.04.2022 by considering the petitioner's representation dated 21.03.2022.

2.The case of the petitioner is that he is the Poosari and one of the members conducting festival at his village every year for Sri Maariamman Thirukovil, Natham Taluk, Dindigul District. Therefore, the petitioner submitted a representation on 21.03.2022, seeking permission and police protection to conduct festival to be held on 10.04.2022 to 12.04.2022.



3.On perusal of the documents presented by the third respondent revealed that the petitioner's father was the Poosari of Arulmighu Mahalakshmi Amman Temple, Senthurai, which is under the control of Hindu Religious and Charitable Endowments Department. The deity of Mari Amman is consecrated in a Karakam/Kumbam filled with holy water and by placing the picture of the Goddess embossed in Silver. Therefore, there is no separate Mari Amman Temple. After the demise of his father, the petitioner was acting as Poosari cum trustee and also obtained a release deed from his family members on 20.02.2014 in respect of the properties endowed in favour of the temple by creating a fraudulent document as if they are ancestral properties and entire properties are released in his favour. The revenue records were also fraudulently mutated in his favour. Therefore, the temple authorities as well as the local public lodged a complaint before various authorities and the petitioner was removed from the administration of the temple by the Joint Commissioner of Hindu Religious and Charitable Endowments Department, by order dated 15.03.2016 and ordered to appoint 'தக்கார்'. Thereafter, the petitioner was also directed to hand over all charges in respect of the temple to 'தக்கார்'. However, he failed to hand over the charge of the temple and as such they filed a writ petition before this Court in W.P(MD) No.21077 of 2019. This Court by order dated 18.03.2022, directed the Hindu Religious and Charitable Endowments Department to appoint a fit person within a period of thirty days from the date of receipt of a copy of that order for the Arulmigu Mahalakshmi Amman Temple. Infact, the petitioner's wife was appointed as trustee and the same was also nullified.

4.While being so, suppressing those facts, he filed the writ petition seeking permission and police protection to conduct the festival for the very same temple. As of now, the petitioner have no locus to conduct any festival since already he was removed from the temple administration and this Court directed the authorities to appoint a fit person for administration of the temple.

5.In view of the above, the prayer sought for in this petition is devoid of merits. Accordingly, the writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CS-III)

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/ /2022

Sub Assistant Registrar(CS)



To

1.The Superintendent of Police,
Dindigul District,
Dindigul.

2.The Inspector of Police,
Natham Police Station,
Natham.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.H. LAKSHMI SHANKAR, Advocate (SR-16813[F] dated
06/04/2022)

W.P (MD) .No.5264 of 2022
05.04.2022

RK(09/05/2022) 3P 5C