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W.P.No.28175 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **27.02.2023**

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.28175 of 2022

K.Annadurai

... Petitioner

versus

1.The Revenue Divisional Officer
Office of the Revenue Divisional officer
Dharapuram Taluk, Tiruppur District.

2.The Tashildhar
Office of the Tahsildhar
Dharapuram Taluk, Tiruppur District.

3.The Superintendent of Police
Tiruppur District.

4.M.Megalingam
5.S.Mathivanan

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus directing the Respondents 1 and 2 to implement the decision taken in the peace Meeting held on 11.11.2019 in Na.Ka.No.937/2018/Aa4 on the title of 1st Respondent

For the Petitioner : Mr.N.Ponraj

For the Respondents : Mr.T.Seenivasan,
Special Government Pleader,
for respondents 1 to 3

Mr.P.Navaneethakrishnan,
for respondents 4 and 5



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ORDER

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The writ petition has been filed in the nature of a Mandamus, against the first and second respondents, the Revenue Divisional Officer, in Dharampuram Taluk at Tiruppur District and the Tahsildar, in Dharampuram Taluk at Tiruppur District, to implement the decision taken in the Peace Meeting held on 11.11.2019 in Na.Ka.No. 937/2018/Aa4 on the file of the first respondent/the Revenue Divisional Officer.

2. The petitioner has a serious grievance. He complains that he has been excommunicated by the fourth and fifth respondents. He belongs to the Sengundhar Mudhaliar Uravinmurai Community. They are residing at Permiam and other neighboring places such as Dharapuram, Tiruppur, Erode and other districts.

3. The family members of the petitioner are governed by Natamaidhars for more than 50 years and controlled by the Natamai. The fourth respondent is the present Natamai and the fifth respondent is the Secretary. The petitioner claims that without any proper reason, he has been excommunicated. His family and 23 such families, had placed trust in him. He collected amounts from them for temple



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festival namely Kavadi Swamy Meravanai puja and other Poojas, which is to be conducted at Kamatchi Amman, Egananda Swamy Thaneer Pandhal Maravadhi and Mahakali Amman Temple.

4. No citizen can be prevented from worshiping any temple. If there are any issues then the authorities should be sought for to grant protection. But, however, the fourth and fifth respondents should not take any decision either as the against the petitioner or against anybody else and forbear from entering or worshiping in the temple. If petitioner is somebody who has affinity to create trouble then there are authorities to whom fourth and fifth respondent can give necessary complaint. The petitioner herein has however realized that he should act in a responsible manner and in this connection, he has filed an affidavit. Let me extract the relevant portion of the affidavit:

"I humbly submit that to maintain fairness only, I sought for account details of the temple and at that time, I did not know that my request would be misunderstood and would lead the respondents 4 and 5 to excommunicate me and my family members. I humbly submit that I am aware of the value of unity and I never intend to disturb the peace in the temple. I undertake that hereafter also, I will maintain decorum while entering the temple premises and will not create any issue either against the other worshipers or against



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the 4th and 5th respondents while in the temple.”

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5. The petitioner has stated that he is aware of the value of unity and had never intended to disturb peace in the temple. As stated, the petitioner had collected amounts from 23 families. Let the fourth and fifth respondents receive the said amount and for the present, let the amount be put in a separate account and thereafter if required, they may also use it for the purpose of any expenses towards the temple. They must also realize that families donate money for temple facilities in satisfaction of certain vows. If the money is not used they would be put to much distress. It would be viewed as if the temple deity had rejected their offering. That should not be communicated either by the fourth and fifth respondents through the petitioner or to the 23 families.

6. As Nattamai and as Secretary, the fourth and fifth respondents must act with much responsibility and in accordance with the post they hold and also try to embrace the petitioner and others and maintain peace and unity in the entire area.



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7. learned Additional Government Pleader had forwarded a status report and the third respondent, the Superintendent of Police may instruct the jurisdictional police to monitor the entire situation. Even if any untoward situation, and the fourth and fifth respondents or anybody else gives any complaint against the petitioner or others, let them not register a First Information Report at the initial stage but enquire into the allegations, enquire into the facts with the petitioner and then let law takes its own recourse. Let not a hasty decision be taken.

8. I am confident that there will be peace in Dharapuram Taluk, Tiruppur District and there would be no cause to complain by the petitioner or by the fourth and fifth respondents.

9. The Writ Petition stands disposed of.

10. The jurisdictional police may also give necessary assistance to the petitioner and, assure him they would be given him assistance, if at all any threat is made to his life or to his property. Let the fourth and fifth respondent not aggravate the situation any further.



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11. The petitioner is also present. He is also informed about the nature of the order passed. No costs.

27.02.2023

Index: Yes/no
mrn

To

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C.V.KARTHIKEYAN, J.
(mrn)

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