



W.P(MD)No.2252 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.02.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.2252 of 2023

and

W.M.P(MD)No.2028 of 2023

R.Karuppiah

... Petitioner

Vs

- 1.The District Collector,
Office of the District Collector,
Virudhunagar District.
- 2.The Revenue Divisional Officer,
Officer of Revenue Division,
Sattur,
Virudhunagar District.
- 3.The Tahsildar,
Tahsildar Office,
Vembakottai,
Virudhunagar District.
- 4.The Assistant Commissioner,
Hindu Religious Endowment Board,
Virudhunagar,
Virudhunagar District.
- 5.The Inspector of Police,
Vembakottai Police Station,
Vembakottai Taluk,
Virudhunagar District.



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6. The Sub Inspector of Police,
Alangulam Police Station,
Alangulam,
Vembakottai Taluk,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to conduct detail inquiry regarding denial of the petitioner and his community members from worshipping their Ancestral god by local Upper case members would amount serious practicing of untouchability and direct the respondents to provide permanent unrestricted entry as well as provide adequate protection to the petitioner's member community people to worship by following their customary Rituals and perform pious obligation for their Ancestral God in the Temple named Arulmiku Kannayira Moorthy Ayyanar Temple situated near to Alankulam Cement Factory Corner Road, at Alankulam Village, Vembakottai Taluk, Virudhunagar District within the time stipulated by this Court.

For Petitioner : Mr.S.Lenin Prabhu

For Respondents : Mr.G.Suriyananth
Additional Government Pleader
for R.1 to R.3

Mr.R.Ragavendran
Government Advocate for R.4

Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)
for R.5 & R.6



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ORDER

Heard the learned counsel appearing for the writ petitioner, the learned Additional Government Pleader appearing for the respondents 1 to 3, the learned Government Advocate appearing for the fourth respondent and the learned Government Advocate (Criminal Side) appearing for the respondents 5 and 6.

2.The petition mentioned Temple is located in Alangulam Village. It is said to be under the Management of three communities. There is a dispute between the petitioner's community and the other three communities with regard to the manner of worship. In this regard, the peace committee meeting was held on 13.06.2022 under which aegis of the Tahsildar, Vembakottai. When the petitioner insisted that they would perform animal sacrifice, the decision on the said issue was deferred. According to the other three communities, animal sacrifice is not permitted in the Temple premises. Since the petitioner is not having any enforceable order in his favour for performing animal sacrifice, it cannot be permitted by the writ Court at this stage. The said issue is left open. The petitioner complains that he is not being allowed to offer his worship by the dominant community members.



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3.The learned Government Advocate (Criminal side) on instructions from the jurisdictional Police categorically asserts that there is absolutely no impediment for the petitioner or other members of his community from offering their worship.

4.The learned counsel appearing for the petitioner states that the petitioner and his relatives want to offer their worship in connection with the proposed Maha Shivartri Festival which is to be held on 17.02.2023 and 18.02.2023. The petitioner has not impleaded any contesting private party since the issue pertains only to offering worship. I direct the jurisdictional Police to ensure that the petitioner and other members of his community are allowed to offer their worship. I make it clear that in this writ petition except the right to offer worship no other right has been declared.

5.This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

03.02.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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