



W.P(MD)No.11136 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 19.05.2023

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD)No.11136 of 2023

and

W.M.P(MD)No.9722 of 2023

Anandhan

... Petitioner

Vs.

1.The Joint Commissioner,
Office of the Joint Commissioner,
HR&CE Department,
Tiruchy-16.

2.The District Collector,
Pudukottai District,
Pudukottai.

3.The Revenue Divisional Officer,
Aranthangi,
Pudukottai District.

4.The Tahsildar,
Manamelkudi,
Pudukottai District.

5.Paulraj
6.Selvaraj
7.Thangavel

1/6



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8.Ganesan

9.Senthil

... 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 take action against the respondents 5 to 9 for their illegal act of excommunicating the petitioner from the Village, by considering his representation dated 20.04.2023.

For Petitioner : Mr.T.Lenin Kumar
For R-1 to R-4 : Mr.P.Subbaraj
Special Government Pleader

ORDER

This Writ Petition is filed for a Writ of Mandamus, directing the respondents 1 to 4 to take action against the respondents 5 to 9 for their illegal act of excommunicating the petitioner from the Village, by considering his representation, dated 20.04.2023.

2. Mr.T.Lenin Kumar, learned Counsel for the petitioner restricted his prayer as to permit the petitioner to participate in the festival of the temple, namely, Sri Kalluritha Kalamman Temple situated in Kallakurichi which is scheduled to be held on 01.06.2023. He further submits that the petitioner is



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residing in the Village of Kallakurichi along with his family and the temple called Sri Kalluritha Kaliamman Temple is situated in their Village. From the generation of the petitioner's grandfather, they were administering the said Temple as Dharmakartha. One Moorthi claiming right over the said Temple filed an application in O.A.No.11 of 2009 before the first respondent and the petitioner filed his objection and immediately after objection, the said notice came to be issued. Further, the petitioner's Counsel submitted that in the year 2010, he collected donations from the people of Kallakurichi and constructed a concrete building to the deity of Sri Kalluritha Kaliamman Temple and conducted consecration festival in a grand manner. Thereafter, after passing of 13 years, a renovation work was carried out in the Temple and the consecration festival is scheduled to be conducted on 01.06.2023. However, by this juncture, the respondents 5 to 9 claiming to be the administrators of the temple, imposed several restrictions to the petitioner to the extent that the petitioner should not participate in the festival. Hence this writ petition came to be filed seeking this Court to direct the respondent 1 to 4 to take necessary action so as to facilitate the petitioner to participate in the said festival.



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3. The learned Special Government Pleader appearing for the respondents 1 to 4 would submit that the respondents will take necessary action on or before 01.06.2023 by considering his representation positively and thereby facilitating the petitioner to participate the festival.

4. Heard the learned Counsels for the petitioner as well as the respondents 1 to 4 and carefully perused the material available on record.

5. Considering the nature of the relief sought for in this writ petition, notice to the respondents 6 to 9 is dispensed herewith.

6. This Court is inclined to direct the fourth respondent to consider the representation made by the petitioner by issuing notice to the respondents 5, 6 and 7 and sensitizing them as to the necessity to maintain peace and amity during the conduct of the festival and facilitate the petitioner and his family members to participate in the festival.



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7. In view of the above said observation, this writ petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

19.05.2023

NCC : Yes

Index : Yes

Internet : Yes

BTR

Note: Issue order copy on 22.05.2023.

To

1.The Joint Commissioner,
Office of the Joint Commissioner,
HR&CE Department,
Tiruchy-16.

2.The District Collector,
Pudukottai District,
Pudukottai.

3.The Revenue Divisional Officer,
Aranthangi,
Pudukottai District.

4.The Tahsildar,
Manamelkudi,
Pudukottai District.



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L.VICTORIA GOWRI, J.

BTR

Order made in
W.P(MD)No.11136 of 2023

19.05.2023