



W.P.(MD)No.16129 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.(MD)No.16129 of 2022

M.Thangasamy

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram,
Ramanathapuram District.

2.The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

3.The Tahsildar,
Kadaladi,
Ramanathapuram District

4.The Inspector of Police,
Perumali Police Station,
Ramanathapuram District

5.P.Periyamariappan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus directing the



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respondents to consider the petitioner's representation dated 14.12.2021 and direct the respondents to allow the general public to offer their worship to the Arulmigu Uchimahaliaimman Temple situated in Kokkadi Village, Kadaladi Taluk, Ramanathapuram District.

For Petitioner : Mr.S.Devasena

For R1 to R4 : Mr.N.Muthu Vijayan
Standing Counsel

For R5 : Mr.S.Muniyandi

ORDER

Let me be very careful in passing the present order since the issue relates to the right of worship in Arulmigu Uchimahaliaimman Temple situated in Kokkadi Village, Kadaladi Taluk, Ramanathapuram District.

2. The petitioner is a member of one group and the 5th respondent is a member of another group. There were disputes relating to the worship in the said temple. A Peace Committee Meeting was held and a



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decision had been taken that each group can appoint a poojari and such poojari shall light the lamp and conduct poojas in a particular time, which is mutually agreeable between the two groups.

3. Accordingly, an affidavit has been filed by the petitioner that they would appoint Mr.K.Vairavan, aged 65 years S/o Mr.Kannaiyiram, Kokkadi Village, as poojari. The 5th respondent has already appointed a poojari, namely, Mr.Karuppannan, who may continue to be the poojari of the fifth respondent.

4. The petitioner may light the lamp in the morning and the poojari may conduct the poojs from morning till 12 noon. The Poojari appointed by the fifth respondent shall take over such duties from the afternoon and continue till night. This shall be the arrangement between the two groups.

5. This does not mean that the petitioner or anybody else cannot



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worship in the evening and the 5th respondent or anybody else cannot worship in the morning. Worshipping in the temple is permitted to everybody whenever the temple is open. The Poojari's right to do pooja alone is stipulated by this Court and no other stipulations are made. It is also stated that the property of the temple cannot be claimed by the petitioner or the 5th respondent. If such right is claimed, separate proceedings will have to be initiated by them and not before this Court.

5. With the above directions and observations, this Writ Petition is disposed of.

22.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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C.V.KARTHIKEYAN, J.

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