



W.P.(MD).No.21985 & 18231 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).Nos.21985 & 18231 of 2023

and

W.M.P.(MD).No.15200 of 2023

W.P.(MD).No.21985 of 2023:

Maruthamuthu

... Petitioner

Vs.

- 1.The Commissioner of HR & CE,
Hindu Religious and Charitable
Endowments,
Uttamar Gandhi Salai,
Nungambakkam,
Chennai-600 034.
- 2.The Joint Commissioner of HR & CE,
Hindu Religious and Charitable
Endowments,
Thanjavur District.
- 3.The Assistant Commissioner of HR & CE,
Hindu Religious and Charitable
Endowments,
Assistant Commissioner Office,
North 3rd Street,
Pudukkottai District.
- 4.The Inspector of HR & CE,
Veeramma Kali Amman Temple,
Aranthangi Taluk, Pudukkottai District.

... Respondents



W.P.(MD).No.21985 & 18231 of 2023

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 3 and 4 to re-install the idol of Goddess Arulmigu Kaliyamman @ Kalluritha Kaliyamman into the Sanctum Sanctorum of temple of Kallakurichi village, Idathimangalam Revenue village, Manamelgudi Taluk, Pudukkottai District.

For Petitioner : Mr.S.T.Sasidharan

For Respondents : Mr.S.P.Maharajan,
Special Government Pleader

W.P.(MD).No.18231 of 2023:

Anandhan

... Petitioner

Vs.

- 1.The Joint Commissioner,
HR & CE Department,
Thanjavur.
- 2.The Assistant Commissioner,
HR & CE Department,
Pudukkottai.
- 3.The Inspector,
HR & CE Department,
Office at Arulmigu Veerammakaliamman
Temple, Aranthangi.
- 4.The Tahsildar,
Manmelkudi Taluk,
Pudukkottai District.
- 5.Moorthy



W.P.(MD).No.21985 & 18231 of 2023

6.Kalimuthu

7.Palraj

9.Selvaraj

10.Thangavelu

11.Ganesan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 to 3 to take appropriate action to constitute the Thiruppani Committee for Goddess Arulmigu Sri Kulluirtha Kaliasman in Kallakurichi Hamlet, Idaiyathimangalam Village, Manamelkudi Taluk, Pudukkottai District with all representatives of the community residing in the village including the petitioner and initiate the penal prosecution against the respondents 6 to 11 for taking away the idol from the temple from the Sanctum Sanctorum and collecting the donation from the public on the guise of renovation work by considering the petitioner representation dated 30.06.2023.

For Petitioner : Mr.R.Paranjothi

For Respondents : Mr.S.Kameswaran,
Government Advocate
For R-1 to R-4

Mr.V.Sasi Kumar,
For R-9 to R-11

No appearance
For R-5 to R-8



W.P.(MD).No.21985 & 18231 of 2023

COMMON ORDER

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W.P.(MD)No.18231 of 2023 is filed for Mandamus, directing the respondents 1 to 3 to take appropriate action to constitute the Thiruppani Committee by considering the petitioner representation dated 30.06.2023. The petitioner has also filed another Writ Petition in W.P.(MD)No.21985 of 2023 for Mandamus, directing the respondents 3 and 5 to re-install the idol of the said temple.

2. The contention of the petitioner is that the private respondents 5 to 11 in W.P.(MD)No. 18231 of 2023 have removed the idol without obtaining prior permission from the appropriate authorities under HR & CE Department. However, the learned Special Government Pleader appearing for the respondents submitted that the idol was removed, since there is proposal to conduct Kumbabishekam. Further the learned Special Government Pleader, on instructions from the respondents vide communication dated 13.09.2023, submitted that the Kumbabishekam will be conducted for the temple, after obtaining report from the Archeological Department and papers are pending before the Archeological Department.



W.P.(MD).No.21985 & 18231 of 2023

3. Therefore, the allegation of the petitioner is not incorrect. Even if it is considered, the private respondents have removed the idol without the permission, as on date the action of the private respondents is ratified by the official respondents.

4. Therefore, the official respondents are directed to conduct the Kumbabishekam, after obtaining report from the Archeological Department and the same shall be conducted as per law, within a periods of six months (6) from the date of receipt of a copy of this order.

5. With these observations and directions, these Writ Petitions are disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

19.09.2023

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



W.P.(MD).No.21985 & 18231 of 2023

To

- 1.The Commissioner of HR & CE,
Hindu Religious and Charitable
Endowments,
Uttamar Gandhi Salai,
Nungambakkam,
Chennai-600 034.
- 2.The Joint Commissioner of HR & CE,
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Endowments,
Thanjavur District.
- 3.The Assistant Commissioner of HR & CE,
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- 4.The Inspector of HR & CE,
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- 5.The Tahsildar,
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W.P.(MD).No.21985 & 18231 of 2023

S.SRIMATHY, J.

Sml

W.P.(MD).No.21985 & 18231 of 2023

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