



W.P(MD)No.30303 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.30303 of 2023

Pandiarajan .C

Petitioner

Vs

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Tahsildar,
Thiruchuli Taluk,
Thiruchuli,
Virudhunagar District.

3.The Inspector,
Hindu Religious and Charitable Endowments Department,
Aruppukottai,
Virudhunagar District.

Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third Respondent to implement the proceedings of the second Respondent vide in Na.Ka.No.23159/2023 dated 13.06.2023.



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For Petitioner : Mr.B.Anandan
For R1 & R2 : Mr.G.V.Vairam Santhosh
Additional Government Pleader
For R3 : Mr.P.Subba Raj
Special Government Pleader

ORDER

The petitioner belongs to scheduled caste community. The petitioner has approached this Court that they have been excommunicated from participating in the temple festival of Arulmighu Chelliyaramman Temple.

2.The learned counsel appearing for the petitioner submits that the people from Maravar community in their Village are not permitting the Scheduled caste people to participate in the temple festival and they are preventing them from taking mulaippari and not collecting tax from them for the temple festival. With this allegation, it appears that this petitioner has already approached the Tahsildar, Tiruchuli. The Tahsildar has conducted a peace committee meeting on 13.06.2023 between both the groups in the presence of the Deputy Superintendent of Police, the Inspector of Police,



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Tiruchuli, the Village Administrative officer, Sethupurram, the Inspector, HR & CE Department, Aruppukottai and a resolution was passed in the said meeting that the village festival has to be performed only as per the advice of the HR & CE Department that no community people is entitled to conduct the festival by collecting tax separately that the parties are restrained from spreading any rumors in the social media. The learned counsel for the petitioner submits that even after this resolution, dated 13.06.2023, the caste hindus are not permitting the scheduled caste people to participate in the Margazhi festival of the above temple. Therefore, the petitioner has submitted a representation and also filed this writ petition for a Mandamus directing the third respondent to implement the proceedings of the second respondent, dated 13.06.2023.

3.Mr.G.V.Vairam Santhosh, learned Additional Government Pleader takes notice for the respondents 1 & 2. Mr.P.Subba Raj, learned Special Government Pleader takes notice for the third respondent.



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4.The learned Additional Government Pleader appearing for the respondents 1 & 2 submits that there was a peace committee meeting on 13.06.2023 in the presence of the officials, wherein, the parties were advised to conduct the temple festival peacefully.

5.This Court considered the rival submissions made and also perused the materials placed on record.

6.The petitioner belongs to scheduled caste community. He has filed this writ petition with a grievance that his community people are prevented from participating in the village temple festival by the Maravar community people. It appears that on a similar complaint made by the petitioner, a peace committee meeting was conducted between the petitioner group, namely Pandiarajan S/o Chandiran & others and Pandi S/o Mithirulandi & others and a resolution was arrived and recorded in Na.Ka.A.23159/2023, dated 13.06.2023 of the Tahsildar, Tiruchuli. As per the peace committee meeting resolution, the villagers shall not prevent any body from



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offering prayers to the deity and from participating in the temple festival. It was also resolved that the temple festival has to be conducted only by the HR & CE Department. This resolution dated 13.06.2023 has not been implemented and therefore, the petitioner has now filed this writ petition that one set of people are not permitting the petitioner and their community people to participate in the temple festival. If this allegation is found to be true, then this issue has to be dealt with severely by the District Administration.

7. Even after 75 years of independence, if this state of affairs prevails on account of community in the village, it needs to be addressed and prevented. No person nor any group can restrain a person from performing his religious duties and it is the right guaranteed under the Constitution.

8. The temple worshipped by the public is a public temple and the HR & CE Department is having every right to interfere with the affairs of the temple. It was, in fact agreed between



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the parties in the peace committee meeting that the festival has to be conducted by the HR & CE Department.

9. Therefore, this writ petition is disposed of in the following terms:-

- i. The HR & CE Department shall conduct the Margazhi festival to Arulmighu Chelliyaramman Temple.
- ii. The second respondent, Thasildar shall ascertain from the Village Administration Officer and other revenue officials that any untouchability issue prevails in the Village and if so, submit a report to the District Collector/the first respondent herein and the first respondent shall take appropriate action.
- iii. The HR & CE Department has to ensure that all the devotees including the schedule caste people are permitted



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in the temple festival and also to take appropriate action by appointing a fit person after ascertaining the report of the Tahsildar. No costs.

19.12.2023

NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.
vrn

Note: Issue order copy on **21.12.2023.**

To

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Tahsildar,
Thiruchuli Taluk,
Thiruchuli, Virudhunagar District.
- 3.The Inspector,
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B.PUGALENDHI, J.

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