



W.P.No.18162 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:30.07.2024

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Writ Petition No.18162 of 2024  
and  
W.M.P.Nos.19950 and 20545 of 2024

G.Sathish Kumar

.. Petitioner

/versus/

1.The District Collector,  
Office of the Collectorate,  
First Floor Main Buildings,  
Boman Kurichi,  
Tiruchengode Road,  
Namakkal District 637 003.

2.The Tahsildar,  
Namakkal Taluk Office,  
Mohannur, Namakkal 637 015.

3.The Revenue Divisional Officer,  
Valaiyapatti, Namakkal.

4.The Superintendent of Police,  
Mohannur Police Station,  
Namakkal District.

5.The Zonal Deputy Tahsildar,  
Mohannur, Namakkal District.



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6.The Village Administrative Officer,  
Valaiyapatti Village, Namakkal District.

7.Thangavel

8.Thiru.Velugounder,

9.Thiru.Natarajan

10.Thangavel

11.Sasi

12.Balan

.. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying to issue a Certiorarified Mandamus to call for all the entire records pertaining to the passing of the impugned order dated 12.04.2022 passed by the 2<sup>nd</sup> respondent herein and quash the same, consequentially direct the respondents 1 to 6 open the temple as it would lead to violation of fundamental right to practice religion for worship of the petitioner with protection.

For Petitioner :Mr.A.D.Janarathanan

For R1 to R6 :Mr.S.Udayakumar,  
Govt.Advocate (Crl.Side)

For R7 to R12 :Mr.K.T.S.Sivakumar

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### ORDER

The writ petition is filed challenging the order passed by the Revenue Divisional Officer on 12.04.2022 ordering the closure of Thottichi Amman Temple, which had been under worship by 150 families of Kurumba Gounder community in the said village. The impugned order states that due to one of the member of the A party married a girl of other caste, there was a dispute between two groups in that village leading to breach of peace. Thereafter, after conducting meeting with both the groups, the Revenue Divisional Officer has ordered to seal the temple until further orders.

2. The learned counsel appearing for the petitioner submitted that for the past two years, the temple been kept under lock and in the custody of the Tahsildar. In spite of change of circumstance, for the past two years the impugned order has not been reviewed by the Revenue Divisional Officer. The learned counsel also submitted that the villagers are buried their difference and they want peaceful worship of the temple, but due to the impugned order, they are not able to worship. The



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representative of the B party are arrayed as respondents 7 to 12.

3. Notice sent to them by this Court has been received by them and they are represented by counsel.

4. Heard both sides and perused the records available.

5. Mr.K.T.S.Sivakumar, learned counsel appearing for the private respondents states that they have no objection for the temple to be opened for worship.

6. The learned Government Advocate (Crl.Side) appearing for the respondents 1 to 6 submitted that if members of both the party make representation to the Revenue Divisional Officer, the same will be considered and an appropriate order will be passed.

7. Taking into consideration the submissions made, this Writ Petition is disposed of directing the petitioner and the respondents 7 to 12



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to make a joint representation to the Revenue Divisional Officer to revoke his earlier order and hand over the key of the temple for the public to worship. Consequently, connected Miscellaneous Petitions are closed.

No costs.

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Index:yes/no

Neutral Citation:yes/no

To:

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- 2.The Tahsildar, Namakkal Taluk Office, Mohannur, Namakkal 637 015.
- 3.The Revenue Divisional Officer, Valaiyapatti, Namakkal.
- 4.The Superintendent of Police, Mohannur Police Station, Namakkal District.
- 5.The Zonal Deputy Tahsildar, Mohannur, Namakkal District.
- 6.The Village Administrative Officer, Valaiyapatti Village, Namakkal District.
- 7.The Public Prosecutor, High Court, Madras.



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DR.G.JAYACHANDRAN,J.

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