



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.4165 of 2024 AND
W.M.P.(MD)Nos.4002, 4919 & 5012 of 2024

P.Gnanaraj

... Petitioner

Vs.

1. State rep. By
The District Collector,
O/o.the District Collector,
Thoothukudi District.
2. State rep. By,
The District Revenue Officer,
O/o.the District Revenue Officer,
Thoothukudi District.
3. State rep. By,
The Superintendent of Police,
Thoothukudi District.
4. State rep. By,
The Revenue Divisional Officer,
O/o.the Revenue Divisional Officer,
Tiruchendur Taluk, Thoothukudi District.
5. State rep. By,
The Deputy Superintendent of Police,
O/o.the Deputy Superintendent of Police,
Santhankulam police station,
Thoothukudi District.
6. State rep.by,
The Tahsildar, O/o.the Tahsildar,
Tiruchendur Taluk,
Thoothukudi District.



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7. State rep. By,
The Inspector of Police,
Meyagnanpuram police station,
Meyagnanpuram,
Thoothukudi District.

8. State rep. By,
The Village Administrative Officer,
Anaiyur Village,
Tiruchendur Taluk,
Thoothukudi District.

9. Manthrikumar ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1, 3, 5, 6 and 7 to consider the petitioner's representation dated 06.02.2024 and 12.02.2024 and consequently direct the first respondent to direct the respondents 4 to 7 restraining the ninth respondent from replacing the petitioner's village Goddess Arulmighu Shree Mutharamman deity with new deity and renovation of the temple for conducting Maha Kumbabishekam on 15.03.2024.

For Petitioner : M/s.V.Muthumani

For R-1, R-2,R-4
R-6 & R-8 : Mr.A.Kannan,
Additional Government Pleader.

For R-3,R-5&R-7 : Mr.A.Albert James,
Government Advocate.

For R-9 : Mr.H.Lakshmi Shankar

* * *

**ORDER**

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Heard both sides.

2. The petitioner wants this Court to restrain the private respondent / ninth respondent herein from replacing the present idol of the petition-mentioned deity.

3. I granted interim injunction on 23.02.2024. To vacate the same, the ninth respondent has filed W.M.P.(MD)No.5012 of 2024. It is seen that the temple is located in Anaiyur Village. The temple is meant for the worship of persons belonging to Nadar community. There are 120 Thalaikattu. All the persons had unanimously decided to perform Kumbabishekam. The majority of the villagers decided to conduct Kumbabishekam. The ninth respondent contends that the idol of the deity has suffered wear and tear. He also produced photographs to that effect. The petitioner's counsel would still claim that the idol is intact and that no case has been made out for replacement.

4. In matters such as this, it is better to leave the decision to the villagers concerned. In any event, the writ Court will not be justified in interfering in the matter. The issues are contentious. The facts are disputed. When the majority of the villagers had decided that



Kumbabishekam must be conducted and on 15.03.2024 it is proposed to be held, the writ Court will not be justified in putting spokes in the wheel. Liberties are however given to the petitioner to move the jurisdictional civil Court, if he is still aggrieved.

5. With this liberty to the petitioner, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

04.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

Note : Issue order copy on 05.03.2024.



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To:

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O/o.the District Collector, Thoothukudi District.
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O/o.the District Revenue Officer, Thoothukudi District.
3. The Superintendent of Police, Thoothukudi District.
4. The Revenue Divisional Officer,
O/o.the Revenue Divisional Officer,
Tiruchendur Taluk, Thoothukudi District.
5. The Deputy Superintendent of Police,
O/o.the Deputy Superintendent of Police,
Santhankulam police station, Thoothukudi District.
6. The Tahsildar, O/o.the Tahsildar,
Tiruchendur Taluk, Thoothukudi District.
7. The Inspector of Police,
Meyagnanpuram police station,
Meyagnanpuram, Thoothukudi District.
8. The Village Administrative Officer,
Anaiyur Village, Tiruchendur Taluk, Thoothukudi District.



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G.R.SWAMINATHAN,J.

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