



W.A.(MD) No.1311 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.08.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A.(MD) No.1311 of 2024
and
C.M.P.(MD) No.10217 of 2024**

M.Karthikeyan

... Appellant

-VS-

1.K.Pandaram

2.The Tahsildar,
Kayathar Taluk,
Thoothukudi District.

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 26.06.2024, passed in W.P.(MD) No.12610 of 2024, on the file of this Court.

For Appellant : Mr.M.Jerin Mathew

For R1 : Mr.P.Banuprasath

For R2 : Mr.P.T.Thiraviyam
Government Advocate



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J U D G M E N T

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

The dispute relates to an attempt to gain control of Shri Karuppasamy Temple and Shri Kaliamman Temple at Ottudanpatti, Thoothukudi District. It is very sad that such dispute reached the portals of this Court.

2. It is the claim of the appellant / petitioner in the Writ Petition that the second respondent had locked the Temples for nearly four years. The Writ Court has directed the second respondent to remove the lock. It is now aggrieved, the appellant has come up with this Writ Appeal.

3. It is the contention of the learned counsel for the appellant that the doors of the Temples have been removed by the appellant / petitioner in the Writ Petition in collaboration with the Villagers and a criminal case has also been foisted against him.

4. No doubt, the jurisdiction under Article 226 of the Constitution of India is not intended for resolving such disputes, as there is a separate mechanism available to determine who should manage the Temple. However, this Court can consider the potential for a breach of public peace and, in order



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to maintain tranquility, can step in under Article 226 of the Constitution of India, as has been done by the learned Single Judge.

5. From the rival contentions raised before us, we find that the dispute has become more intense and both the parties are at loggerheads. Hence, we direct the Executive Officer of Shenbagavalli Amman Temple, Kovilpatti, Tuticorin District, to take charge of the Temples and maintain the same, till such time, the dispute as to who should manage the Temples is resolved by the competent authority or the competent Court. The Executive Officer of Shenbagavalli Amman Temple, Kovilpatti, Tuticorin District, will take charge of the Temples within a period of three weeks from today and file a report before this Court.

6. This Writ Petition stands disposed of with the above observation. No costs. Consequently, connected Miscellaneous Petition is closed.

7. List the case on **27.08.2024**, "**for reporting compliance**"

NCC : No
Index : No
Internet : Yes
smn2

[R.S.M., J.] [L.V.G., J.]
06.08.2024



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WEB COPY Copy to:-

The Executive Officer,
Sri Shenbagavalli Amman Temple,
Kovilpatti,
Tuticorin District.

To:-

The Tahsildar,
Kayathar Taluk,
Thoothukudi District.



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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

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