



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 06.08.2024

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD)No.18937 of 2024

A.Mathiyalagan

..Petitioner

Vs

1.The Tahsildar,
Marungapuri Taluk,
Trichy District.

2.The Village Administrative Officer,
Thathanoor Village,
Marungapuri Taluk,
Trichy District.

3.A Mathavan

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the first respondent to hand over the key to the Petitioner in respect of Arulmighu Muthumariamman Temple, Thathanoor Village, Marungapuri Taluk, Trichy Distyriect based on the Petitioner's representation dated 15.7.2024.

For Petitioner :Mr.M.Suresh

For Respondents :Mr.D.Sadiq Raja
1 and 2 Additional Govt.Pleader

ORDER



Writ of Mandamus directing the first respondent to hand over the key to the Petitioner in respect of Arulmighu Muthumariamman Temple, Thathanoor Village, Marungapuri Taluk, Trichy DistyRICT based on the Petitioner's representation dated 15.7.2024.

2.Mr.D.Sadiq Raja, learned Additional Government Pleader takes notice for the respondents 1 and 2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.It is the case of the Writ Petitioner that the Petitioner has got a judgment and decree as against the second respondent in the suit filed by him in O.S.No.187 of 2013. In the year 2013, it was agreed in the Peace Committee Meeting that the key of the above said temple should be kept by the Village Administrative Officer. Now in view of the judgment and decree in favour of the Petitioner, the Petitioner wants to consider his representation for handing over the key of the Petition mentioned temple to him.

4.The learned Additional Government Pleader appearing for the respondents 1 and 2, on instructions, submitted that the Petitioner has suppressed the further suit in O.S.No.356 of 2013, which is also dismissed on the same date, wherein, the relief for granting injunction is negatived by the Court below. It is further submitted that as per the



Peace Committee Meeting recorded in the year 2013, it is decided that the key should be kept by the Village Administrative Officer.

5.A perusal of the other judgment produced in O.S.No.356 of 2013 also seems to have connected with the Peace Committee Meeting held on 23.5.2013 with regard to the conduct of poojas in the petition mentioned temple. Therefore, for the rights declared in the suit, the rights already vest with the revenue officials cannot be now disturbed. Since the right of the Petitioner to conduct pooja was already decided, there is no basis for the Petitioner to claim that the key of the temple to be handed over to him and thus the Writ Petition fails.

6.For the reasons stated above, the Writ Petition stands dismissed.

No costs.

06.08.20245

Index : Yes/No

Internet:Yes/No

NCC :Yes/No

vsn

To

1.The Tahsildar,
Marungapuri Taluk,
Trichy District.



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2. The Village Administrative Officer,
Thathanoor Village,
Marungapuri Taluk,
Trichy District.



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N.SATHISH KUMAR.,J

vsn

ORDER MADE IN

W.P(MD)No.18937 OF 2024

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