



W.P.(MD)No.28188 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.(MD)No.28188 of 2024

S.Lakshmi

: Petitioner

Vs.

1.The Superintendent of Police,
Karur District, Karur.

2.The Deputy Superintendent of Police,
Karur, Karur District.

3.The Inspector of Police,
Pasupathipalayam Police Station,
Karur District.

4.The Tahsildar,
Karur Taluk,
Karur District.

5.Krishnamoorthi

6.Ramalingam

7.Murugan @ Muruges

8.Raj

: Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents 1 to 3 to take appropriate action for ex-communication and consequently



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direct the respondents 1 to 3 to provide necessary police protection to offer worship in Sri Pagavathiamman, Sri Selvavinayagar Kovil, situated at P.Vellalapatti (Melur), Puliur Post, Karur Taluk, Karur District by considering the petitioner's representation dated 21.11.2024.

For Petitioner	: Mr.S.Gokulraj
For R1 to R3	: Mr.A.Thiruvadikumar Additional Public Prosecutor
For R4	: Mr.M.Muthumanikkam Government Advocate (Civil side)

ORDER

The petitioner has sent a representation dated 21.11.2024 to the third respondent complaining that the private respondent 5 to 8 and others of the village have excommunicated the petitioner and not received contribution for the renovation work of the Sree Selva Vinayagar and Sree Pagavathi Amman temple, which was constructed in Government Porampoke land. He further submitted that apart from the petitioner, four other families were also denied to enter the temple. The scheduled caste people of the village have also not permitted. Hence, discrimination has been carried by the respondents 5 to 8 and others of the village. The petitioner had earlier lodged complaint on 08.05.2024. Though CSR No. 391 of 2024 assigned and recording the undertaking given by the private respondents that any function of the temple would be conducted in



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inclusive manner and there would be no discrimination or excommunication of anybody, that complaint was closed. Despite the same, now, again the private respondents and others are not permitting the petitioner to enter the temple and have any worship, despite the temple is next door of the petitioner's residence. Since the respondent police was also not taking any action, this petition has been filed.

2. The learned Additional Public Prosecutor, on the other hand, submitted that in an earlier complaint of the petitioner, CSR.No.391 of 2024 assigned. The petitioner as well as counter petitioner were called for enquiry on 08.05.2024. During the enquiry, it was agreed that there would be no discrimination and any contribution for the temple would be collected from the petitioner and others. Recording the same, earlier CSR No.391 of 2024 was closed on 11.05.2024. Today, some temple festival is being conducted, for which, there was no fresh collection. The festival is conducted only with the fund available with the villagers. The petitioner's apprehension that he has been ex-communicated is on his own thinking. There is no such discrimination. The petitioner's complaint that he is not allowed to enter the temple and offer worship is also not proper. As on date, according to the respondent police, there is no such restriction. The



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petitioner's complaint was received on 23.11.2024 and the petitioner was called for enquiry, but he is yet to appear.

3. The learned counsel for the petitioner would submit that the petitioner would appear before the respondent police on 02.12.2024 and give explanation. The contention of the petitioner is that temple festival is from today for three days. Hence, he may be permitted to have worship.

4. The learned Additional Public Prosecutor submitted that if the petitioner appear before the respondent police complaining about any restriction to his entry to the temple, then adequate police protection would be given and ensure that the petitioner is allowed for worship.

5. Recording the above, this Criminal Original Petition is disposed of. The respondent police would ensure that there is no discrimination in any manner, it is a public temple, all to have their worship and offerings.

25.11.2024

NCC : Yes/No
Index : Yes / No
Rmk

Note : Issue order copy on 27.11.2024



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M.NIRMAL KUMAR,J.

Rmk

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