



W.P.No.10164 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 21.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.10164 of 2025

and

W.M.P.No. 11405 of 2025

K.SHANMUGAM

... Petitioner

Vs

1. DISTRICT COLLECTOR,
ERODE DISTRICT.
2. THE REVENUE DIVISIONAL OFFICE,
GOBICHETTIPALAYAM,
ERODE DISTRICT.
3. JOINT COMMISSIONER,
HINDU RELIGIOUS AND CHARITABLE ENDOWMENT,
PERUNDURAI ROAD,
V CHATRAM,
NGGO COLONY, ERODE- 638 011.
4. ASSISTANT COMMISSIONER,
HINDU RELIGIOUS AND CHARITABLE ENDOWMENT,
EX-ARMY BUNGALOW,
GANDHI ROAD, ERODE-638 001.
5. THE SUPERINTENDENT OF POLICE,
MARAPALAM, ERODE.
6. THE TAHSILDAR
GOBI TALUK OFFICE,
SH 15, GOBICHETTIPALAYAM -638 452.
7. REVENUE INSPECTOR,
KUGALUR, KAMBAR ST,



W.P.No.10164 of 2025

GANGA NAGAR,
GOBICHETTIPALAYAM -638 452.

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8. VILLAGE ADMINISTRATIVE OFFICER,
PUTHUKARAIPUDUR VILLAGE,
GOBICHETTIPALAYAM TALUK,
ERODE DISTRICT.
9. VILLAGE ADMINISTRATIVE OFFICER,
NANJAIGOBI VILLAGE,
GOBICHETTIPALAYAM TALUK,
ERODE DISTRICT.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, to direct the respondents to take action on the representation dated 16.12.2024 and 24.02.2025 of the petitioner to recover the temple land of 6.22 Acres in survey No.38A, of Nanjaigobi village and to take over the “Vinayagar, Mahakaliyamman, Marriamman Temple” also called “Mariamman Mahakaliyamman Temple” at Puthukaraipudur Village, Gobichettipalayam Taluk, Erode District under the control of third and fourth respondents department within the time frame fixed by this Court.

For Petitioner : Mr.R.Anishkumar

For R1, R2, R6 to R9 : Mr.R.Murthi
Government Advocate

For R3 & R4 : Mr.N.R.R.Arun Natarajan
Special Government Pleader

For R5 : Dr.C.E.Pratap
Government Advocate (Crl.Side)



W.P.No.10164 of 2025

ORDER

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2. Upon perusal of the affidavit, the petitioner claims to be the "*Kothukakar*" of the temple. There is no issue with the petitioner being a devotee and the "*Kothukakar*", but he cannot claim this based on caste. Similarly, several other allegations are made in reference to various castes. This Court has already held that caste is irrelevant when it comes to the worship of God. Therefore, the temple will only be maintained and administered for all devotees, irrespective of caste. Any action that is taken can never be on any caste basis. Be that as it may, the prayer in the writ petition is only to recover the temple lands.

3. The learned Special Government Pleader appearing for the third and fourth respondents submits that the prayer has already been taken cognizance of and that particulars are being called for. Once the third and fourth respondents collect the necessary particulars, appropriate action will be taken.



W.P.No.10164 of 2025

Even if the land is in the possession of any third parties, it shall be recovered in the manner prescribed by law. If mutation of records is necessary, it will be taken up with the other authorities in accordance with the law.

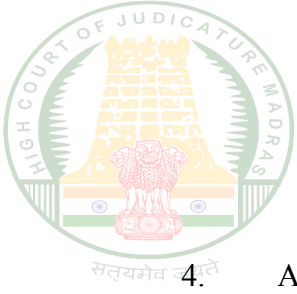
4. Recording the above said submission, this writ petition is disposed of. The above said exercise shall be carried out as expeditiously as possible and in any event, within a period of sixteen weeks from the date of receipt of the web copy of the order, without waiting for the certified copy of the order. Consequently, connected miscellaneous petition is closed. No costs.

21.03.2025

Neutral Citation: Yes/No
nsl

To

1. DISTRICT COLLECTOR,
ERODE DISTRICT.
2. THE REVENUE DIVISIONAL OFFICE,
GOBICHETTIPALAYAM, ERODE DISTRICT.
3. JOINT COMMISSIONER,
HINDU RELIGIOUS AND CHARITABLE ENDOWMENT,
PERUNDURAI RD,
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W.P.No.10164 of 2025

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4. ASSISTANT COMMISSIONER,
HINDU RELIGIOUS AND CHARITABLE ENDOWMENT,
EX-ARMY BUNGALOW,
GANDHI ROAD, ERODE-638 001.
5. THE SUPERINTENDENT OF POLICE,
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W.P.No.10164 of 2025

D.BHARATHA CHAKRAVARTHY, J.

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