



W.P.No.15652 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED :29.04.2025

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.15652 of 2025
& W.M.P.No.17700 of 2025

D.Mathiazhagan,
Oor Gounder,
Hereditary Trustee,
Arulmighu Amani Kondalampatti Mariyamman Temple,
Amani Kondalampatti,
Salem 636 010.

... Petitioner

/versus/

1. The Tahsildar
Salem South Taluk,
Maniyanoor,
Salem 636 010.

2. N.Vellimalai
Amani Kondalampatti Village,
Salem South Taluk,
Salem District.

3. The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Salem.

... Respondents

R3 is impleaded as suo motu by this Court in W.P.No.15652 of 2025 (DBCJ)

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st Respondent to forthwith permit the petitioner to do the renovation and painting work in the Arulmighu



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Mariyamman Temple, Amani Kondalamapatti, Salem, by considering and passing necessary orders on the representation of the petitioner dated 21.04.2025.

For Petitioner : Mr.K.Selvaraj.
For Respondent : Mr.R.Murthi, Government Advocate, for R1
: Mr.K.Karthikeyan,
Government Advocate, (HR&CE), for R3
for R1 to R3, R5 & R6

ORDER

The writ petition is filed for a mandamus directing the 1st respondent to forthwith permit the petitioner to do the renovation and painting work in Arulmighu Mariyamman Temple, Amani Kondalamapatti, Salem.

2. The Learned Counsel for the petitioner would submit that the ceiling is coming off and therefore, the very structure itself would become in a dangerous condition unless the repair works are carried on an emergency basis. The photograph that is produced along with the writ petition is also relied upon. It is stated that the second respondent and other persons are physically preventing him from carrying out the works.



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3. The petitioner claims to be Hereditary Trustee of the temple. If

so, the role of the first respondent would come only when there is any law and order issue. But however, who has to carry out the renovation work is to be determined by the HR&CE authorities.

4. In view thereof, the Assistant Commissioner, HR&CE Department, Salem is *suo moto* impleaded as the 3rd respondent. The 3rd respondent shall forthwith inspect the Temple in question namely, Arulmighu Mariyamman Temple, Amani Kondalamapatti, Salem. The 3rd respondent shall ascertain as to who is in the Management of the temple. If the petitioner is the Managing Trustee in the Management of Temple, shall issue an order permitting the petitioner to carry out such work, by duly following the Division Bench judgment. The opinion of the Heritage Committee has to be obtained etc, then it is also made clear that in the meanwhile any emergent steps to prevent the falling of the ceiling etc., has to be taken, the same has also to be taken. To determine the issue, the 3rd respondent shall also issue notice to the petitioner as well as the second respondent and any other person interested and decide the matter. Expeditious steps shall be taken so as to preserve the Temple and also carry out the repairs works by the petitioner, if he is Hereditary Trustee and even if there is any rival claim, the 3rd respondent shall



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decide as to who can carry out the *Thirupani* work and so that, the Temple is repaired and maintained in a condition so as to enable the devotees to worship the deity.

5. This writ petition is disposed of. Consequently, connected Miscellaneous Petitions are closed. There shall be no order as to costs.

29.04.2025

Neutral citation :No.

bsm

To,

1. The Tahsildar
Salem South Taluk,
Maniyanoor,
Salem 636 010.

2. The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Salem.

3. The Government Pleader, High Court, Madras.



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