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W.P.(CrI).No.264 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 14.07.2025

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.(CrI).No.264 of 2025

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G.Lakshmi, W/o Gopalan

.. Petitioner

Vs.

1. The Suerintendent of Police, Erode, Erode District.

2. The Deputy Superintendent of Police,  
Gopichettipalayam,  
Erode District.

3. The Inspector of Police,  
Gopichettipalayam Police Station,  
Erode District.

4. P.A.Murugan, S/o Ammasai

5. R.Dhanapal, S/o Ramasamy

6. P.B.Aalumalai, S/o Balasubramaniam

7. G.Sudhakar, S/o Gopalan

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents 1 to 3 to give Police protection to the petitioner's life and her family and house situated at No.264/226, Karuppusamy Nagar, Puthukaraipudur Post, Gopichettipalayam Taluk, Erode District-638 313, by considering the

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representation of the petitioner, dated 03.05.2025.

For petitioner : M/s.R.Anishkumar

For respondents: Mr.S.Vinoth Kumar, Govt.Advocate (Crl.Side)

for RR-1 to 3

### ORDER

The petitioner has filed the present Writ Petition praying for issuance of a Writ of Mandamus to direct the respondents 1 to 3 to give Police protection to the petitioner's life and her family and house situated at No.264/226, Karuppusamy Nagar, Puthukaraipudur Post, Gopichettipalayam Taluk, Erode District-638 313, by considering the representation of the petitioner, dated 03.05.2025.

2. Brief facts leading to filing of the present Writ Petition, are stated hereunder:

(a) One K.Shanmugam is the "Kothukarar" of "Arul Mighu Vinayagar Mahakaliyamman, Marriamman Temple" (also called as Mariamman Mahakaliyamman Temple) at Puthukaraipudur Village, Gobichettipalayam Taluk, Erode District. The Temple's administration is maintained by the Trustee and Kothukarar jointly since its inception and both of them will have their respective keys to open the Hundi jointly.

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(b) There are several allegations made against the Trustee, i.e.

S.Karthikeyan/4th respondent herein, P.S.Srivelu and P.B.Aalumali/seventh respondent by the villagers, including the petitioner's son, namely G.Sasikumar for fund misappropriations, discriminations, name transfer in the Temple patta with their names and illegal sale of Temple properties, which is nearly Rs.10 crores. In this regard, several representations were made to the Revenue officials of the District Joint Commissioner of Hindu Religious and Charitable Endowments ( H.R. & C.E).

(c) The fifth respondent is ignoring the Schedule class people in all festivals and Hundi collections for the Temple and creating the circumstances that the Temple is only for a particular class of people or community, which has not been in practice for many years in the Temple.

(d) On 21.03.2025, one K.Shanmugam filed a Writ Petition in W.P.No.10164 of 2025 before this Court seeking to direct the respondents therein 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.38.A of Nanjaigobi Village and to take over "Arul Mighu Vinayagar, Mahakaliyamman, Marriamman Temple", also called as "Mariamman Mahakaliyamman Temple" at Puthukaraipudur Village,

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Gobichettipalayam Taluk, Erode District under the control of third and fourth respondents-Department, within the time frame that may be fixed by this Court. The said W.P.No.10164 of 2025 was disposed of on 21.03.2025 observing as follows:

"The prayer in the writ petition is to consider the representation of the petitioner, dated 16.12.2024 and 24.02.2025 and to recover the temple land of 6.22 acres in Survey No.38A of Nanjaigobi Village.

2. Upon perusal of the affidavit, the petitioner claims to be "*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



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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. 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 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."

(e) On the various letters issued by the villagers, including the petitioner's son, and also subsequently to this Court, the HR & CE Department took steps to take direct the management of the Temple,

(f) On 01.04.2025, the Villagers made a representation/objection to the District Collector and the respondents, requesting not to allow the



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festival proposed to be conducted by the rival parties, viz., the respondents in W.P.No.10164 of 2025, and others.

(g) The said K.Shanmugam filed W.P.No.14292 of 2025 before this Court, which was allowed on 22.04.2025 by this Court, observing as follows:

"The petitioner is seeking to appoint a fit person to conduct the festival dated 01.05.2025 of "Vinayagar, Mahakaliyamman, Mariamman Temple" at Puthukaraipudur Village, Gobichettipalayam Taluk, Erode District.

2. The learned counsel for the petitioner would submit that unless a fit person is appointed, the temple festival would not be properly conducted.

3. The learned counsel for the respondent would submit that already with reference to the claim of the petitioner regarding certain customary rights, this Court directed to conduct an enquiry by order dated 21.03.2025 in W.P.No.10164 of 2025 and the enquiry is in progress and is in advanced stage. At this stage, it is not possible to appoint a fit person.

4. Further, from the notice that is printed with reference to the temple festival, it can be seen that the festival starts from 23.04.2025 and ends on



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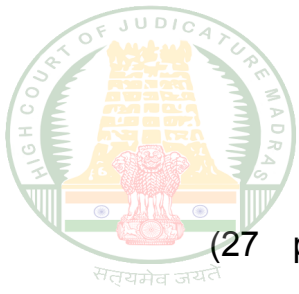
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08.05.2025 and the main festival is on 01.05.2025, the 18th day of Chithirai month. Therefore, when the festival starts from tomorrow, at the last minute, this Court cannot direct the respondents to appoint a fit person etc., and no relief whatsoever cannot be granted. Depending on the outcome of the enquiry that is already undertaken, with reference to the ensuing years, the petitioner can make appropriate claims and the same shall be considered by the respondents.

5. With the above directions, this Writ Petition stands disposed of. No costs. Consequently, the associated miscellaneous petition is closed."

(h) On the various letters issued by the villagers, including the petitioner's son and subsequently to this Court, the H.R. & C.E. Department has to take steps to take direct management of the Temple.

(i) Therefore, on 02.05.2025, the private respondents and other supporters attacked the petitioner and her family members including the children and damaged the car, bike, doors, windows and cattle by throwing stones and gave life threats. The petitioner lodged a complaint, dated 03.05.2025 to the third respondent by mentioned the name of the accused



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(27 persons) including the private respondents and they issued  
CSR.No.129 of 2025.

(j) The petitioner appeared on 16.05.2025 before the third respondent and submitted the photos and other documents. Thereafter, the petitioner submitted the statement through a letter dated 21.05.2025 to the third respondent, In the meantime, the respondents 4 to 8 and others had frequently been creating disturbances and life threats to the petitioner and her family members and properties.

(k) Hence, for the reasons stated supra, the petitioner has filed the present Writ Petition for the relief stated above.

3. This Court considered the submissions made by the learned counsel on either side, on the above back-drop of the facts and perused the materials available on record.

4. The respondents 1 to 3/Police are directed to conduct enquiry on the representation of the petitioner, dated 03.05.2025 and take appropriate action on the same.

5. With the above direction, this Writ Petition is disposed of.

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1. The Suerintendent of Police, Erode, Erode District.
2. The Deputy Superintendent of Police,  
Gopichettipalayam,  
Erode District.
3. The Inspector of Police,  
Gopichettipalayam Police Station,  
Erode District.
4. The Public Prosecutor, High Court, Madras.



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