



W.P.(MD)No.4297 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 18.02.2025

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P.(MD)No.4297 of 2025

S.Kumaravel

... Petitioner

vs.

1.The District Collector,
Nagercoil, Kanyakumari District.

2.The Joint Commissioner,
HR & CE Department,
Tirunelveli, Tirunelveli District.

3.The Assistant Commissioner,
HR & CE Department,
Nagercoil, Kanyakumari District.

4.A.K.Arumugam Pillai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to take action against the third and fourth respondents by considering the petitioner's representation dated 08.10.2024.



WEB COPY



W.P.(MD)No.4297 of 2025

For Petitioner :Ms.S.Prabha
For R1 to R3 : Mr.G.Suriyananth
Additional Government Pleader

ORDER

The petitioner seeks for a mandamus to direct the first respondent/
District Collector to initiate action as against the fourth respondent.

2. There is in existence a temple under the name and style of 'Arulmighu Senthil Vinayagar Temple' and connected temples at Suchindram, Agasteeswaram Taluk, Kanyakumari District. The fourth respondent conducted Kumbabhisekam for the temple between 16.05.2024 to 19.05.2024. Objecting to the performance of Kumbabhisekam, the petitioner filed W.P(MD).No.11166 of 2024. The said writ petition came to be dismissed by this Court on 15.05.2024. Subsequently, the petitioner claims that he has not been permitted to enter into the temple and offer prayer to the deities. He also plead that as the fourth respondent had unauthorizedly conducted Kumbabhisekam, the first respondent /District Collector should initiate action. He gave a

2/5



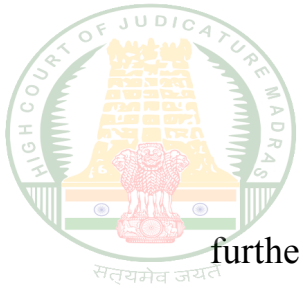
W.P.(MD)No.4297 of 2025

representation to that effect on 08.10.2024. As no action has been initiated by the first respondent, he has come forward with the present writ petition.

3. I have heard Ms.S.Prabha for the petitioner and Mr.G.Suriyananth, learned Additional Government Pleader, who takes notice on behalf of the respondents 1 to 3.

4. Mr.G.Suriyananth states that being a temple under the control of Hindu Religious & Charitable Endowments Department, no person including the petitioner are nor will ever be prevented from offering their prayers in the institution. The statement that all persons are permitted to enter into the temple is recorded.

5. The grievance of the petitioner is against the fourth respondent. A perusal of the papers shows that the petitioner had given a police complaint to the Suchindram Police Station making allegations against the fourth respondent. This was received by the police, and a CSR number was given to the same as CSR.No.1178 of 2024. After enquiry,



W.P.(MD)No.4297 of 2025

further action had been dropped on 29.11.2024. If the petitioner still has any grievance, it is always open to him to approach the jurisdictional Magistrate Court and work his rights on his complaint. As the first respondent /District Collector does not possess the jurisdiction to initiate action for a private dispute between the petitioner and the fourth respondent, the mandamus sought for by the petitioner cannot be granted. Hence, this Writ Petition is dismissed preserving the right of the petitioner to approach the jurisdictional criminal Court. No costs.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
Rmk

18.02.2025

To

- 1.The District Collector,
Nagercoil, Kanyakumari District.
- 2.The Joint Commissioner,
HR & CE Department,
Tirunelveli, Tirunelveli District.
- 3.The Assistant Commissioner,
HR & CE Department,
Nagercoil, Kanyakumari District.

4/5



WEB COPY



W.P.(MD)No.4297 of 2025

V. LAKSHMINARAYANAN, J.

Rmk

W.P.(MD)No.4297 of 2025

18.02.2025