



W.A(MD)No.414 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.03.2025

CORAM:

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.A(MD)No.414 of 2025
and
C.M.P(MD)No.3221 of 2025**

- 1.Sornam
- 2.Sundari
- 3.Selvarani

... Appellants/Petitioners

vs.

- 1.The District Collector,
Sivagangai District.
- 2.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.
- 3.The Tahsildar,
Devakottai Taluk,
Sivagangai District.
- 4.The Superintendent of Police,
Sivagangai District.



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5.The Inspector of Police,
Aravayal Police Station,
Sivagangai District.

6.Subbaiah

7.K.Ashok Kumar

... Respondents/Respondents

PRAYER : Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 21.01.2025 made in W.P(MD)No.19769 of 2024 on the file of this Court.

For Appellants	: Mr.R.Balakrishnan
For RR 1 to 3	: Mr.S.S.Madhavan Additional Government Pleader
For RR 4 & 5	: Mr.A.Albert James Government Advocate (Criminal Side)
For R – 6	: Mr.S.Madhavan

JUDGMENT

(Judgment of the Court was delivered by S.SRIMATHY, J.)

The present Writ Appeal is filed by the writ petitioners in W.P(MD)No.19769 of 2024 dated 21.01.2025.

2.Heard Mr.R.Balakrishnan, learned counsel appearing for the



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appellants, Mr.S.S.Madhavan, learned Additional Government Pleader appearing for the respondents 1 to 3, Mr.A.Albert James, learned Government Advocate (Criminal Side) appearing for the respondents 4 and 5 and Mr.S.Madhavan, learned counsel appearing for the sixth respondent and perused the materials available on record.

3.In the Writ Petition, the order impugned is dated 24.07.2024, wherein it has been stated that lock and key will be with one Subbaiah. Aggrieved over by the said observation, the Writ Petition was filed. The Writ Court has recorded the fact that under Section 63(B) of the HR & CE Act, an application in O.A.No.67 of 2024 has been filed by the sixth respondent for declaring hereditary trustee and administration of the Temple and the same is pending. Hence, the Writ Court had held that the writ petitioners can very well approach the Joint Commissioner, HR & CE for appropriate relief and dismissed the Writ Petition.

4. Aggrieved over the observation that the lock and key ought to be with the said Subbiah the present Writ Appeal is filed. Further it was contended that the temple is not opened as per regular practice and regular timings. However



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the rival parties submitted that the temple is “village temple”, hence it would be opened from 4 to 6 alone.

5. After considering the rival submission this Court is of the considered opinion that an interim arrangement would redress the grievance of all the parties. Therefore, the following order are passed:

i. Until the disposal of the said O.A.No.67 of 2024 to declare the rights of the parties the lock and key shall be with the said Subbaiah. However, this will not grant any right to Subbaiah to claim that he is the hereditary trustee or the administrator of the Temple. He has to independently prove his right by filing documents. The authority shall consider the claims of the rival parties uninfluenced by any of the observations passed by this Court. The authority concerned shall consider the same only based on the documents alone.

ii. The Temple will be opened daily in the evening from 04.00 p.m. to 08.00 p.m.

iii. On Tuesdays and Fridays, the Temple will be



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opened in the morning from 08.00 a.m. to 12.00 a.m., and in the evening from 04.00 p.m. to 08.00 p.m.

iii. On auspicious days also, the Temple will be opened in the morning from 08.00 a.m. to 12.00 a.m., and in the evening from 04.00 p.m. to 08.00 p.m.

iv. The Temple will also be opened on request.

6. With this above observation, this Writ Appeal is disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

[J.N.B.,J.] & [S.S.Y.,J.]
21.03.2025

NCC : Yes / No
Index : Yes / No
ps



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ORDER MADE IN
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