



W.P.(MD) No.12604 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD) No.12604 of 2025

K.Jayakumar ... Petitioner

Vs

- 1 The District Collector,
Virudhunagar District,
Virudhunagar.
- 2 The Tahsildar,
Rajapalayam Taluk,
Sivagangai District.
- 3 The Village Administrative Officer,
Ayan Kollankondan Village,
Rajapalayam Taluk,
Virudhunagar District.
- 4 Nakkaneri Sri Sangili Karuppasamy
Thirukovil Padimathargal,
Rep. by its President,
Rajapalayam Taluk,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India,
praying for issuance of a writ of mandamus, directing the respondents 2 and



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3 to hand over the keys of Arulmigu Sri Sangili Karuppasamy Temple, Nakkaneri Village, Rajapalayam Taluk, Virudhunagar District, to the petitioner or any other person representing the 36 Vagaiyara community, forthwith and permitting them to reopen worship and maintenance of the said temple without any undue interruptions by fourth respondent or its men and agents in any manner, by considering the representation of the petitioner, dated 10.03.2025.

For Petitioner : Mr.A.Mohan

For Respondents 1 to 3 : Mr.G.Suryananth,
Addl. Govt. Pleader.

ORDER

The petitioner seeks for the following relief :

"writ of mandamus, directing the respondents 2 and 3 to hand over the keys of Arulmigu Sri Sangili Karuppasamy Temple, Nakkaneri Village, Rajapalayam Taluk, Virudhunagar District, to the petitioner or any other person representing the 36 Vagaiyara community, forthwith and permitting them to reopen worship and maintenance of the said temple without any undue interruptions by fourth respondent or its men and agents in any manner, by considering the representation of the petitioner, dated 10.03.2025."



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2. I have heard Mr.A.Mohan, for the petitioner; and Mr.G.Suryananth, for the respondents 1 to 3.

3. It is not in dispute that there exists a temple under the name and style "Arulmigu Sri Sangili Karuppasamy Temple" at Nakkaneri Village, Rajapalayam Taluk, Virudhunagar District. The dispute essentially relates to the right claimed by the petitioner and the fourth respondent. On account of the dispute, the temple itself has been locked by the revenue department.

4. Taking note of the closure of the temple and thereby preventing the public from offering their worship, I directed Mr.Suryananth to inform the revenue authorities to open the temple.

5. Mr.Suryananth states that on account of the dispute between those representing 36 vagaiyara communities, the authorities are not in a position to keep the temple open.

6. In view of the *inter se* dispute over the alleged first rights and honours or right to manage the temple, public worshipping the devotee cannot be put at loss. The dispute as to the rights of the parties will be decided by the jurisdictional civil court. Pending the dispute, the temple need not be kept closed to accommodate the rights of the persons, who are claiming hereditary rights to manage the temple.



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7. Hence, this Writ Petition is disposed of, with a direction that the respondents 2 and 3 shall keep the temple open for the purpose of public worship. The petitioner or any other person, who claims right to perform any religious activity, will be entitled to approach the jurisdictional civil court and seek for a declaration and obtain the same. On obtaining such a declaration, the revenue department will hand over the keys to the person, so declared. Till then, the temple shall be kept open by the revenue department and no person will be entitled to claim any right of management. In case any mischievous element attempts to keep the temple closed, respondents 2 and 3 are entitled to approach the jurisdictional police and seek for protection. On such approach, the local police shall grant protection and also ensure the mischievous element, who is attempting to close the temple, is kept away from the area. No costs.

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