



WP(MD)No.14413 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

WP(MD)No.14413 of 2025

G.Sundaramoorthy

: Petitioner

Vs.

1.The Deputy Superintendent of Police,
Tiruchuli,
Virudhunagar District.

2.The Inspector of Police,
Paralachi Police Station,
Virudhunagar District.

3.The Tahsildar,
Aruppukottai,
Virudhunagar District.

4.Arunkumar

5.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Madurai.

6.The Superintendent of Police,
Virudhunagar.

: Respondents

[R.5, R.6 *suo-motu* impleaded vide order dated 18.07.2025]



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PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the first respondent to take necessary action to remove the illegal lock made by the fourth respondent and his men in Arulmighu Vinai Theertha Ayyanar Temple situated at the petitioner's village and to ensure peaceful worshipping of the Temple by the petitioner and the general public of the village by considering the petitioner's representation dated 13.05.2025.

For Petitioner : Mr.A.Balaji

For Respondents: Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor
for R.1, R.2, R.6

Mr.F.Deepak,
Special Government Pleader
for R.3

Mr.R.Karunanidhi for R.4

Mr.S.S.Madhavan,
Additional Government Pleader
for R.5



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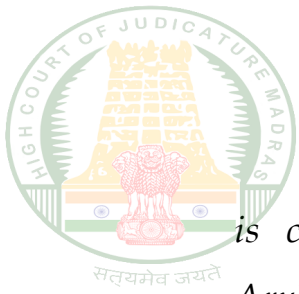
ORDER

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The petitioner is a resident of Vadakkunatham, Aruppukottai Taluk, Virudhunagar District. He has filed this writ petition seeking a direction to the first respondent to remove the illegal lock made by the fourth respondent and his men in Arulmighu Vinai Theertha Ayyanar Temple situated in their village.

2.The grievance of the petitioner is that the fourth respondent, who belong to Naickar Community, has high-handedly put up a lock to Arulmighu Vinai Theertha Ayyanar Temple and preventing the villages from worshipping the deity from 09.05.2025. His case is that when the fourth respondent Naickar Community people are having a separate Temple, namely, Arulmighu Jakkammal Temple, they are unnecessarily interfering in the affairs of Arulmighu Vinai Theertha Ayyanar Temple. In this regard, the petitioner has made a specific averment in his affidavit as under:-

“4. ... there are separate temples in our village for each set of community people. Arulmighu Arumugasamy and Kaliasman Temple



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is common temple for all the community people of our village. Arulmighu Jackkammal Temple is the exclusive temple of the fourth respondent and his Naicker Community people. Arulmighu Muthumariamman Temple of our village belongs to Nadar Community people. Arulmighu Vinayagar Temple Perumal Temple of our village belongs to Chettiyar Community people. Arulmighu Kaliyamman Temple of our village belongs to Arunthathiyar Community people. Likewise the above said Arulmighu Vinai Theertha Ayyanar Temple of our village belongs to us."

3.Learned Counsel for the fourth respondent submitted that Arulmighu Vinai Theertha Ayyanar Temple belong to all the community people in the village. However, the Thevar Community people have created a trust and preventing the other community people to worship the deity. According to him, they have not locked the Temple and they have nothing to do with the lock as alleged by the petitioner.

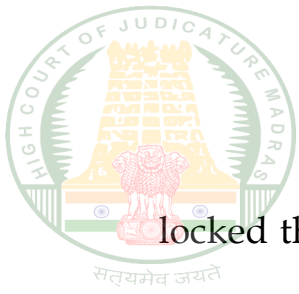
4.The first respondent / Deputy Superintendent of Police has filed a status report that there are 150 houses belonging to Naicker Community, 7 houses belonging to Maravar Community, 10 houses belonging to Nadar



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Community, 20 houses belonging to Maruthuvar Community, 6 houses belonging to Chettiar Community, 5 houses belonging to Panikkar Community, 30 houses belonging to Adi Dravidar Community, 2 houses belonging to Pillai Community, 2 houses belonging to Aasari Community and all of them are living peacefully. The Kalamman Temple festival is celebrated every year on the 3rd Tuesday of the Tamil Month Vaikasi. The Naicker and Maravar Community people, including the entire community members, collected taxes, hold a festival. It is also customary to hold a pongal at the Vinai Theertha Ayyanar Temple, on behalf of the Temple.

5.The status report further reads that this year, the Maravar, Aasari, Adi Dravidar Community decided to hold the Kumbabhishekam on the 20th of Tamil Month Avani and started the work. The Naicker Community members demanded that the Temple should collect taxes from everyone in the village and conduct the Kumbabhishekam. However, the petitioner's father, belonging to Maravar Community, did not accept this and that the Naicker Community members could only give donation to the Temple and not as taxes. Triggered over this, some people from Naicker Community



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locked the Temple and in this regard, they have registered a case in Crime

No.51 of 2025 u/s.126(2) BNS. The case is under investigation.

6. According to the Deputy Superintendent of Police, it is not known as to who exactly locked the Temple. On 22.05.2025, when the Tahsildar made an attempt to remove the lock, both sides demanded that they would keep the key once the lock is removed and replaced. The Naicker Community people, in the alternative, demanded to hand over the key to the priest. But it was refused by the Maravar Community people and as such, the lock was not removed. Thereafter, on 16.07.2025, the revenue and police officials attempted to open the Temple lock, but, it was objected by the Naicker Community people that without the Court's order, it should not be opened. They have also threatened and attacked one Rani, belonging to Maravar Community and in this regard, a case has been registered in Crime No.66 of 2025 for the offence u/s.191(2), 296(b), 115(2), 351(2) BNS r/w Section 4 of Tamil Nadu Prohibition of Women Harassment Act. The case is under investigation.



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7.This Court considered the rival submissions made on either side and perused the materials placed on record.

8.The petitioner has approached this Court that Arulmighu Vinai Theertha Ayyanar Temple has been locked by some persons on 09.05.2025. From the submissions of the learned Counsel on either side and also from the status report of the Deputy Superintendent of Police, it appears that the subject temple at Vadakkunatham is a public temple. However, there are some disputes in collecting taxes from some community people. Considering the nature of issue, this Court *suo-motu* impleads the Joint Commissioner, Hindu Religious and Charitable Endowments Department, Madurai, as a party respondent to this proceedings and Mr.S.S.Madhavan, learned Additional Government Pleader is to take notice on behalf of the newly impleaded respondent.

9.The newly impleaded Joint Commissioner shall take necessary steps to take over the administration of the Temple and shall ensure that the lock



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is opened. The Joint Commissioner shall appoint the Fit Person of a nearby Temple as the Fit Person for this Temple as well. The Fit Person shall ensure that all the people are permitted to enter into the Temple, offer their prayers / offerings, without any discrimination. The respondent Police is expected to provide necessary police protection to the Fit Person to execute the orders of this Court.

10.This writ petition filed on 20.05.2025 was taken cognizance by this Court on 22.05.2025. This petition is pending before this Court for the past two months and a public temple, which has been locked by some unknown persons, remain locked for the past two months. The police and revenue officials appear to have made attempts to open the Temple, however, on the objections of some of the villagers, they could not execute the same.

11.The Police Department has been established to ensure law and order. An unknown person, in a high-handed manner, put up a lock on a public temple and as a result, the temple is closed for the past two months. However, the Police is neither in a position to find out the accused nor in a



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position to remove the lock, even after the receipt of notice in this writ

petition filed before this Court. This Court is unable to accept the reply of the respondent Police. Therefore, this Court *suo-motu* impleads the Superintendent of Police, Virudhunagar District, to appraise him as to the competence of the investigation officer who conducted the investigation.

In fine, this writ petition stands disposed of. No costs.

Internet : Yes
gk

18.07.2025

Note:
Issue order copy by 21.07.2025

To

- 1.The Deputy Superintendent of Police,
Tiruchuli,
Virudhunagar District.
- 2.The Inspector of Police,
Paralachi Police Station,
Virudhunagar District.
- 3.The Tahsildar,
Aruppukottai,
Virudhunagar District.



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4.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Madurai.

5.The Superintendent of Police,
Virudhunagar.

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