

W.P. CrI(MD)No.42 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED: 05.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.CrI.(MD)No.42 of 2025

Karuppaiah

... Petitioner

Vs

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Sivagangai District.
- 3.The Tahsildar,
Thirupuvanam Taluk Office,
Sivagangai District.
- 4.The Inspector of Police,
Palayanoor Police Station,
Sivagangai District.
- 5.Sekhar
- 6.Adilingam
- 7.Sakthimurugan
- 8.Thavasi @ Muthuramalingam

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 4, forbearing the respondents 5 to 8 herein from in any manner constructing the pathway door-towards northern side of the temple namely Srivanikaruppusamy Thriukkivil, situated at Chokkanathiruppu Village, Thiruppuvanam Taluk, Sivagangai District, by taking into consideration of the order passed by this Court, dated 17.11.2009, made in WP(MD) No.8416 of 2009.

For Petitioner	: Mr.V.Malaiyendran
For R1 & R4	: Mr.A.S.Abul Kalaam Azad Government Advocate (CrI.side)
For R2 & R3	: Mr.F.Deepak Special Government Pleader
For R5 to R8	: Mr.Mahes Rajan

ORDER

This writ petition is filed seeking a Mandamus, directing the respondents 1 to 4 and forbearing the respondents 5 to 8 from constructing a pathway door towards northern side of Srivanikaruppusamy Thriukkivil, situated at Chokkanathiruppu Village, Thiruppuvanam Taluk, Sivagangai District, by taking into consideration of the order passed by this Court, in WP(MD) No. 8416 of 2009, dated 17.11.2009.



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2.The main contention of the petitioner is that the private respondents herein, who are pangalis, have started the renovation work of the subject temple, without having any consultation with Agamasastra pandits. They are also attempting to erect Rajagopuram and put up a new door pathway to the temple on the northern side, without getting suggestions from the Agamasastra pandits. In view of the same, the sentiments of the villagers would be affected. It is brought to the notice of this Court that in the year 2009, one Mr.V.Arumugam Servai, claiming to be the President of Village Committee has filed a writ petition in WP(MD) No.8416 of 2009 and this Court, by order, dated 17.11.2009 has disposed of that writ petition as under:-

"From the facts which we have narrated, it is seen that in view of certain disputes that arose during the year 2004, between the two groups the temple has been closed anticipating law and order problem. As it is said that the time will cure all the disputes, the parties have fairly represented the court that they will cooperate and they



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will have no objection whatsoever, for opening of the temple for worship by the public. The only reason adduced by the Tahsildar concerned for closing the temple is the anticipated law and order problem. In view of the fair stand taken by the respective Pangalis numbering six, for rendering full assistance to the officials concerned and particularly the petitioner is also restricting his claim only in respect of opening up of the temple and not in respect of the conduct of festival, we are disposing of this writ petition with a direction to the Tahsildar to open Srivani Karuppanaswamy temple Chokkanathairuppu village on the petitioner producing the copy of this order. We expect both the parties to render their cooperation for the public to worship the temple in a time fixed by the officials concerned. We also expect that both the parties will not create any law and order situation in this regard. As the temple is to be opened pursuant to the direction, the belongings kept in the sanctum and sanctoirum by the fifth respondent, if any, shall be kept inside the temple as such it shall not be removed by any person including the group belonging to the petition."



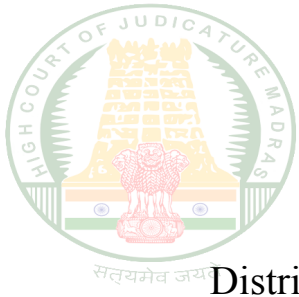
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3. According to the petitioner, the private respondents are indulging in misappropriation of the temple fund. Therefore, the petitioner has submitted a representation on 14.05.2025 to the first respondent in this regard. Since no action was taken by the first respondent, the petitioner has submitted another representation to the District Collector on 26.05.2025. The grievance of the petitioner is that though his complaint was acknowledged, it was not acted upon so far.

4. Mr. A.S. Abul Kalaam Azad, learned Government Advocate (CrI.side) takes notice for the respondents R1 & R4. Mr. F. Deepak, learned Special Government Pleader takes notice for R2 & R3. Mr. Mahes Rajan, learned counsel takes notice for R5 to R8.

5. It appears that there is a dispute between two groups over the renovation of Srivanikaruppusamy Thriukkivil, situated at Chokkanathiruppu Village, Thiruppuvanam Taluk, Sivagangai



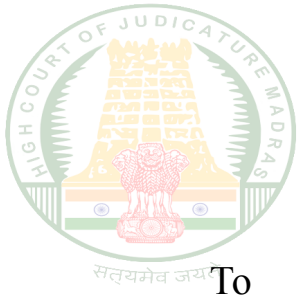
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District. In earlier occasion, this Court has passed an order, in opening the above temple and to worship the deity by both the rival groups without any dispute. This petitioner has once again approached this Court, to issue a direction as against the other group. Such kind of prayer cannot be granted by this Court. Accordingly, this writ petition is dismissed. However, liberty is granted to this petitioner to work out his remedy before the appropriate forum. No costs.

05.06.2025

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



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To
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Office of the Superintendent of Police,
Sivagangai District.
2. The Revenue Divisional Officer,
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B.PUGALENDHI, J.

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Order made in
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