



W.P(MD)No.19769 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 21.01.2025

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.19769 of 2024

and

W.M.P(MD)Nos.16756 , 16757 & 16758 of 2024

1.Sornam
2.Sundari
3.Selvarani

... 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.

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

6.Subbaiah
7.K.Ashok Kumar

... Respondents



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PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned order passed by the third respondent in Na.Ka.A2/920/2024 dated 24.07.2024 and quash the same.

For Petitioner	: Mr.R.Balakrishnan
For R1 to R3	: Mr.D.Gandhi Raj Special Government Pleader
For R4 & R5	: Mrs.M.Aasha Government Advocate (Crl.side)

ORDER

This writ petition has been filed challenging the order passed by the third respondent, dated 24.07.2024, thereby, directed to hand over the Key of Sri Muthumariamman Temple situated at Uravayal Village, Devakottai Taluk, Sivagangai District to the administrator namely one Subbaiah.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The temple called Arulmigu Sri Muthumariamman Temple, situated at Uravayal Village. After renovation of the said temple, Kumbabishegam was conducted for the temple. There is a dispute between the petitioner and the respondents 6 & 7 herein in respect of



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administering the temple. Therefore, the petitioners locked the temple and did not permit the others to conduct any pooja or festival. In fact, the sixth respondent herein filed a writ petition in W.P(MD)No.12070 of 2024 seeking permission from the fifth respondent to conduct festival for the said temple. Thereafter, the festival smoothly conducted and as such, the prayer sought for in the said writ petition has become infructuous. However, the third respondent conducted an enquiry on the dispute between the petitioner and the respondents 6 & 7 herein, after enquiry, the third respondent concluded that the key of the temple should be handed over to the administrator of the temple, namely, the sixth respondent and no other persons are permitted to lock the temple.

4. Now, the petitioner sought to remove the lock put up by the sixth respondent to conduct the pooja and other festivals. Due to the dispute between them, the sixth respondent filed an application before the Joint Commissioner HR & CE, Sivagangai under Section 63 (B) of the HR & CE Act in O.A.No.67 of 2024 seeking to appoint him as hereditary trustee of the temple and it is pending. Therefore, the petitioner can very well approach the Joint Commissioner, HR & CE for appropriate relief.



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5. In view of the above, this Court finds no infirmity or illegality in the order passed by the third respondent and it is liable to be dismissed.

6. Accordingly, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

21.01.2025

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

To

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G.K.ILANTHIRAIYAN, J.

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Order made in
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