



WA(MD). No.822 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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Date : 01/04/2025

CORAM

THE HONOURABLE Mrs. JUSTICE J.NISHA BANU
AND
THE HONOURABLE Mrs. JUSTICE S.SRIMATHY

WA(MD). No.822 of 2025
and CMP(MD) No.5450 of 2025

C.Karuppaiah

... Appellant

Vs

1.S.Thangadurai

... 1st respondent/Writ
Petitioner

2.The District Collector
O/o.District Collector
Madurai District, Madurai.

3.The District Revenue Officer,
District Revenue Officer Office,
District Collector Office Campus
Madurai District, Madurai.

4.The Revenue Divisional Officer,
Revenue Divisional Officer Office
Usilampatti, Madurai District, Madurai.

5.The Tahsildar
Peraiyur Taluk, Madurai District



WA(MD). No.822 of 2025

WEB COPY

6. The Tahsildar
Usilampatti Taluk
Madurai District

... Respondents

PRAYER :- Writ Appeal filed under Clause 15 of Letters patent against the order of this Court dated 16.04.2024 in WP(MD). No. 910/2022.

For Appellants : Mr.R.Venkatesan
For Respondents : Mr.R.Karunanidhi for R1
Mr.S.S.Madhavan for R2 to R6
Additional Government Pleader

JUDGMENT

(Judgment of the Court was delivered by J.NISHA BANU, J.)

The writ appeal is directed against the order of the writ Court dated 16.04.2024 in WP(MD). No. 910/2022.

2. The private respondent in the writ petition is the appellant herein.

3. The challenge made in the writ petition is for Poojariship of Palla Karuppasamy Temple situated in Usilampatti Taluk. Since the petitioner's father and forefathers have performed as poojaris, the writ



WA(MD). No.822 of 2025

WEB COPY

petitioner was also given the right of poojariship and he is doing poojas in the temple. While so, one Chinnakaruppan (who died on 27.05.2021) had created disputes. Hence, a peace committee was conducted, wherein, the third respondent/Revenue Divisional Officer had passed the proceedings by appointing Chinnakaruppan as Poojari. In the peace committee conducted, the writ petitioner being 'A' party and Chinnakaruppan and 6th respondent/appellant are 'B' party. However, without hearing the writ petitioner, the impugned proceedings was passed. Hence, on that ground, the challenge was made to the impugned proceedings passed by the third respondent/Revenue Divisional Officer dated 27.11.2021 before the writ Court.

4. The Writ Court had allowed the writ petition on the main ground that the third respondent/Revenue Divisional Officer has no role or jurisdiction to select a particular person as Poojari. Further the Court held that the RDO ought to have invoked Criminal Procedure Code and pass appropriate directions as per law, but he had failed to do so. Further, liberty was also granted to the parties to establish their rights before the



WA(MD). No.822 of 2025

Civil Court.

WEB COPY

5. We have heard the learned counsel for the appellant, the learned Additional Government Pleader for the respondents 2 to 6 and the learned counsel for the first respondent/writ petitioner.

6. After hearing the rival submission this Court is of the considered opinion that the Revenue Divisional Officer has no power to select any person to act as poojari and the Writ Court had rightly held so. The appointment of poojari comes within the purview of HR&CE Act and the authorities under the Act has power to appoint or confer poojari rights. Or else the individual ought to have approached Civil Court to establish their rights as Poojari. The Writ Court had rightly relegated the parties to approach the Civil Court.

7. Further, the Revenue Divisional Officer ought to have invoked the provision under the Code of Criminal Procedure for conducting the peace committee meeting, but the RDO failed to do so. Furthermore, it is



WA(MD). No.822 of 2025

WEB COPY

seen the RDO cannot issue positive direction to appoint a person as poojari. Therefore, this Court is of the considered opinion that the Writ Court had rightly allowed the writ petition, which warrants no interference at all. Accordingly, the writ appeal stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

[J.N.B.,J]

[S.S.Y.,J]

01.04.2025

NCC : Yes/No
Index : Yes/No
RR



WA(MD). No.822 of 2025

WEB COPY

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WEB COPY



WA(MD). No.822 of 2025

**J.NISHA BANU, J
AND
S.SRIMATHY, J.**

RR

**ORDER
IN
WA(MD) No.822 of 2025**

Date : 01/04/2025