



W.A(MD)No.2418 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

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and

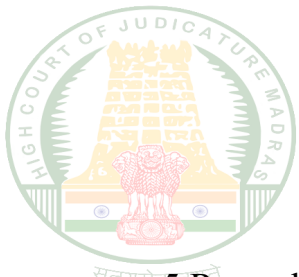
C.M.P(MD)No.13770 of 2025

- 1.Sittan
- 2.Prabhu
- 3.Chinnakaruppu
- 4.Mannan

... Appellants/
Respondents 4 to 7

Vs.

- 1.Muthupandi
 - 2.The District Collector,
Madurai District,
Madurai.
 - 3.The Revenue Divisional Officer,
Madurai District,
Madurai.
 - 4.The Tahsildar,
Madurai North Taluk,
Madurai.
- ... 1st Respondent/Petitioner



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5.Ramesh

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...Respondents/Respondents
1 to 3 & 8

PRAYER: Writ Appeal filed under Clause XV of the Letters Patent Appeal, to set aside the order dated 24.07.2025 passed in W.P(MD)No.20270 of 2025.

For Appellants : Mr.S.Manohar
For R1 : Mr.S.Sukumar
For R2 to R4 : Mr.S.P.Maharajan
Special Government Pleader

JUDGMENT

(Judgment of the Court was made by ***G.ARUL MURUGAN, J.***)

Intra Court appeal is filed challenging the order dated 24.07.2025 made in W.P(MD)No.20270 of 2025.

2. It is the contention of the learned counsel for the appellants that the issue involved in the writ petition is purely a civil dispute between the parties. The issue is in respect of a private temple and further the writ petition has been entertained and an order has been passed without even notice to the private respondents 4 to 8 in the writ petition, therefore, he seeks for interference of this Court.



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3. Per contra, the learned counsel for the first respondent contends that, since their rights in the temple were denied by the private respondents, who are the appellants herein, they have approached the competent authorities and thereafter, approached the Writ Court, where, their interests had been taken note of and the writ petition came to be disposed of, which needs no interference.

4. The learned Special Government Pleader appearing for the respondents 2 to 4 would submit that the temple is a private temple and does not come within the purview of the HR & CE Department.

5. Heard the submissions made on either side and perused the materials available on record.

6. Admittedly, the subject temples are private temples situated in Thallakulam, Madurai North Taluk. These temples does not come within the purview of the HR & CE Department. The temples have been renovated and Kumbabishekam was to be conducted and in the Kumbabisheka function, it seems that there had been some private disputes between the appellants and the first



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respondent herein. In order to resolve the private disputes, the first respondent, had without exhausting its remedy by approaching the appropriate Civil Court, had approached the Writ Court by filing a writ petition seeking for a direction to the official respondents 1 to 3 therein to direct the private respondents to collect tax from them and allow them to participate in the temple.

7. The Writ Court by an order dated 24.07.2025 had disposed of the writ petition by recording that no first honor could be given to any of the parties and if at all there is any honor from time immemorial or if there is any customary practice, the parties shall approach the competent Civil Court and establish the same. The Writ Court had issued further directions with respect to convening of a Peace Committee and also receiving tax from the writ petitioner.

8. It is to be noted that the official respondents does not have any role or jurisdiction to entertain any disputes in respect of the private temples. When admittedly the subject temple is a private temple, which does not come under the purview of the HR & CE Department and the authorities have no role or jurisdiction or any control over the temples, the Writ Court was not justified in issuing a direction to the respondents by making observations to the effect that the



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tax should be collected from the parties and also deciding certain civil rights between the parties. In such event, we are of the considered opinion that directions issued by the Writ Court is to be interfered with.

9. In view of the above findings, the order passed in the writ petition is set aside and the writ appeal stands allowed. If at all there is any civil disputes between the parties, it is open to the parties to approach the competent Civil Court to resolve their disputes. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) & (G.A.M., J.)
21.08.2025

NCC : Yes / No
Index : Yes / No
am



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