



W.P.(MD)Nos.26918 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2025

CORAM:

THE HONOURABLE **MR.JUSTICE P.DHANABAL**

W.P.(MD)No.26918 of 2024

S.Ramasamy

Vs.

... Petitioner

1. The District Collector,
Tenkasi District,
Tenkasi.
2. The Revenue Divisional Officer,
Tenkasi.
3. The Tahsildar,
Pavoorchatram,
Tenkasi District.
4. The Inspector of Police,
Pavoorchatram Police Station,
Pavoorchatram,
Tenkasi District.

5. Mariappan

6. Ramarselvan

... Respondents

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PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 to 4 to break open the lock illegally put up by the 5th and 6th respondents group in Arulmighu Sakthi Pothe Madasamy Temple in Chinnathambi Nadarpatti Village, Pavoorchatram Taluk, Tenkasi District and to ensure peaceful worship by the villagers.

For Petitioner : Ms.V.Janaki Devi
For Respondents : Mr.M.Sakthi Kumar (R1 to R3)
Government Advocate
Mr.B.Anandan (R5 & R6)

ORDER

This writ petition has been filed by the petitioner seeking for a direction to the respondents 1 to 4 to break open the lock illegally put up by the 5th and 6th respondents group in Arulmighu Sakthi Pothe Madasamy Temple in Chinnathambi Nadarpatti Village, Pavoorchatram Taluk, Tenkasi District and to ensure peaceful worship by the villagers.



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2. According to the petitioner, there is a dispute between the petitioner and the private respondents with respect to the aforesaid temple and thereby, the private respondents locked the temple. Therefore, the petitioner sent a representation to the respondents 1 to 4. But the same has not been considered. However, the respondent police issued a receipt in CSR No.171 of 2024 and thereafter, no action was taken. Hence, this petition came to be filed.

3. The learned Government Advocate appearing for the respondents 1 to 3 would submit that there is a dispute between the petitioner and the private respondents. The respondents are noway connected with the aforesaid temple and they never locked the temple. Only the private respondents locked the temple. Therefore, the respondents cannot interfere with the temple administration and the parties have to approach the appropriate forum seeking for the appropriate relief and hence, this petition is liable to be dismissed.

4. The learned counsel appearing for the private respondents 5 and 6 would submit that there is a dispute between the petitioner and the private



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respondents in respect of the aforesaid temple. The respondents have not locked the temple. Instead, the petitioner only locked the temple and damaged the temple properties. Therefore, this petition is liable to be dismissed.

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

6. A careful perusal of the records and hearing the arguments of the learned counsel on both sides, it is clear that there is a dispute between the petitioner and the private respondents in respect of the aforesaid temple and both parties are claiming right over the said temple and hence, the parties can work out their remedy before the appropriate forum to establish their rights over the said temple.

7. According to the petitioner, the respondents 5 and 6 locked the temple and therefore, the respondents 1 to 4 have to break open the lock. According to the private respondents 5 and 6, the petitioner only locked the temple.



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Therefore, when the dispute is between the parties, it is for the petitioner to work out the remedy before the competent forum and thereby, this petition is not maintainable. The prayer of the petition cannot be considered and there is no merit in this petition. In view of the same, this writ petition deserves to be dismissed. Accordingly, the same is dismissed. No costs.

27.02.2025

Neutral Citation: Yes / No
Index : Yes / No
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TO:-

1. The District Collector,
Tenkasi District, Tenkasi.
2. The Revenue Divisional Officer, Tenkasi.
3. The Tahsildar,
Pavoorchatram, Tenkasi District.
4. The Inspector of Police,
Pavoorchatram Police Station,
Pavoorchatram, Tenkasi District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

5/6



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P.DHANABAL, J.

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