



W.P(MD)No.27779 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2025

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CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.27779 of 2022

and

WMP(MD)Nos.21861 & 21862 of 2022

K.Nagalingam

... Petitioner

Vs.

1. The District Collector,
Office of Collectorate,
Madurai District.

2. The Tahsildar,
Vadipatti Taluk Office,
Vadipatti, Madurai District.

3. The Executive Officer,
Sree Neelamega Perumal Koil,
Kachaikatti Village,
Vadipatti Taluk,
Madurai District.

4. Karuppu @ Kauppaih

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, to call for the records relating to the impugned order in Na.Ka.No.2571/2022/A7 dated 06.12.2022 of the 2nd respondent and to quash the same.

For Petitioner

: Mr.V.R.Shanmuganathan

For R1 & R2

: Mr.R.Ragavendran

Government Advocate

For R3

: Mr.D.R.Ramesh Mahadev



W.P(MD)No.27779 of 2022

ORDER

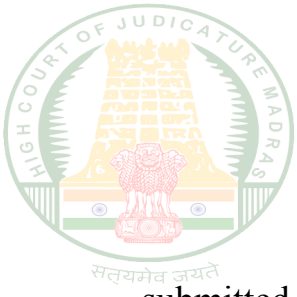
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The present Writ Petition has been filed for the issuance of a Writ of Certiorari, to quash the impugned order in Na.Ka.No.2571/2022/A7 dated 06.12.2022 of the 2nd respondent.

2.The facts are that the petitioner is a trustee of Sree Sakti Mariamman Temple. Based on the said position, he was conferred with the first honour (முதல் மரியாதை) in the third respondent Temple. However, the fourth respondent is putting up a rival claim. When the issue was referred to the Tahsildar, the Tahsildar has conferred the said first honour to the fourth respondent. However, the petitioner has filed O.S.No. 35 of 2020 on the file of the District Munsif Court, Vadipatti. There is an order of interim injunction against the fourth respondent.

3.When the interim injunction is subsisting, the Tahsildar ought not to have conferred the first honour to the fourth respondent based on the peace committee meeting through the impugned order.

4.The learned Counsels appearing for the petitioner and the third respondent submitted that already another litigation is pending before the Joint Commissioner seeking the same first honour, which was filed under Section 63.



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5.However, the learned Counsel appearing for the third respondent submitted that the Civil Court is barred under Section 108 of Hindu Religious and Charitable Endowments Act. Therefore, the jurisdiction question is left open by this Court.

6.With the above observations, this Writ Petition is allowed and the impugned order is quashed. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

04.07.2025

Index : Yes / No

Internet : Yes

Tmg

To:

1. The District Collector,
Office of Collectorate,
Madurai District.
2. The Tahsildar,
Vadipatti Taluk Office,
Vadipatti, Madurai District.



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S.SRIMATHY, J.

Tmg

**ORDER MADE IN
W.P(MD)No.27779 of 2022**

DATED : 04.07.2025