



WEB COPY

WP No. 454 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-02-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 454 of 2026

AND

WMP NO. 556 OF 2026, WMP NO. 3192 OF 2026

V.Kaliappan
S/o late Veerannan,
gundoor, boear Street,
Kanjanaickenpatti Village, Tharapuram Post,
Kadayampatti taluk, Salem District

..Petitioner(s)

Vs

1. The District Collector
Salem District, Salem
2. The Revenue Divisional officer
Mettur, Salem District
3. The Tahsildar cum Taluk Administrative
Magistrate
Kadayampatti Taluk, Kadayampatti, Salem
district
4. The Inspector of police
Deevattipati Police Station
Salem District
5. K. Manikam
S/o Kuppusamy, gundoor,
Kanjanaickenpatti Village,
Tharapuram Post, Kadayampatti Taluk,



Salem District

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6. Arulmigu Bathrakaliyamman Thirukovil
Rep by its President M. Rajendiran,
Gundorr, Kanjanaickenpatti Village,
Kadayampatti Taluk,
Salem district

..Respondent(s)

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, Call for the records of the 3d Respondents proceeding dated 19.11.2025 in ref No. Na.Ka. No 1770/2016/ A3 and quash the same and consequently to direct the 3rd Respondent re-deposit / restore the Sri Kalamman Statue, horse Vahanam, and Pooja materials back in the temple situated at Gundoor, Kanjanaickenpatti Village, Tharapuram Post Salem, District and permit the petitioner to perform Pooja and to celebrate the festival with police protection of the 4th respondent.

For Petitioner(s): Mr.Venkataraman for Mr.D.Senthil
Kumaar

For Respondent(s): Mr.V.Jeevagiridharan Agp For R1 To R3

Mr.L.Baskaran Govt.Advocate (crl.Side)
For R4

Mr.A.K.Sriram, Senior Counsel for
M/s.T.Fenn Walter Associates, For R5, R6



ORDER

This Writ Petition has been filed for the following reliefs:-

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“Call for the records of the 3d Respondents proceeding dated 19.11.2025 in ref No. Na.Ka. No 1770/2016/ A3 and quash the same and consequently to direct the 3rd Respondent re-deposit / restore the Sri Kaliyamman Statue, horse Vahanam, and Pooja materials back in the temple situated at Gundoor, Kanjanaickenpatti Village, Tharapuram Post Salem, District and permit the petitioner to perform Pooja and to celebrate the festival with police protection of the 4th respondent”

2. By order dated 19.01.2026, this Court had directed the 3rd respondent to restore the articles taken from the petitioner temple. This order has been complied with and the articles were handed over to the petitioner and the same was recorded in the order dated 28.01.2026.

3. Today, when the matter was taken up for hearing, this Court was of the opinion that a consensus could be arrived at between the parties and they have agreed that the festival shall be conducted jointly by the villagers. The learned counsel for the petitioner would submit that he has no objection for the suit OS.No.98 of 2011 being restored to file.



4. In view of the above, the Writ Petition is disposed of with the following directions:-

“i) The idol and all articles relating to the temple shall continue to remain with the petitioner.

ii) The petitioner shall ensure that the idol which is kept in the room belong to the petitioner shall be visible to the villagers and that the said place is accessible to them. The villagers cannot however demand the room to be opened on days other than Fridays and festival days.

iii) The petitioner undertakes that, every Friday, the villagers shall be permitted to enter the temple premises and conduct pooja. The petitioner shall also be present in the temple when the villagers visit for the said purpose.

iv) The communal festival shall be conducted by the villagers, and the pooja shall be performed by the petitioner.

v) The jurisdictional police shall provide necessary assistance in the event of any law and order situation.”

5. The learned District Judge, Omalur, hear and dispose OS.No.98 of 2011 uninfluenced by any of the observations or directions issued by this Court and shall pass orders independently based on the records/materials available before him.



6. In view of the above directions, the 3rd respondent shall remove the lock and seal placed on the temple premises.

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7. It is made clear that this order is being passed only as a stop gap arrangement until the Civil Court passes its orders in Suit O.S. No. 98 of 2011. This order is not an attempt to circumvent the order of the Hon'ble Division Bench passed in WA.No.1299 of 2022 but only to give effect to the intent expressed by the learned Judges therein.

8. Accordingly, the Writ Petition is disposed of. No costs. Consequently, the connection Miscellaneous Petitions are closed.

23-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

SHR



To

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