



W.P(MD)No.8763 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 01.04.2026

CORAM

THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

W.P(MD)No.8763 of 2026
and
W.M.P(MD)No.7094 of 2026

1. Thangaraj
2. P.Devendran

... Petitioners

Vs.

1. The District Collector,
District Collector's Office,
Karur District.
2. The Revenue Divisional Commissioner,
Revenue Divisional Office,
Near Old Government Hospital,
Karur.
3. The Tahsildar,
Avarakurichi Taluk,
Karur District
4. The Superintendent of Police,
Karur,
Karur District.



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5. The Inspector of Police,
Avarakurichi Police Station,
Avarakurichi,
Karur District.
 6. Suresh
(R6 is suo motu impleaded by an order of this Court
dated 01.04.2026 in W.P.(MD).No.8763 of 2026
by D.B.C.J.)
 7. A.Shruti Anbalagan
(R7 is suo motu impleaded by an order of this Court
dated 01.04.2026 in W.P.(MD).No.8763 of 2026
by D.B.C.J.)
 8. M.Thanga Pandi
(R8 is suo motu impleaded by an order of this Court
dated 01.04.2026 in W.P.(MD).No.8763 of 2026
by D.B.C.J.)
- ...Respondents

Prayer: Writ Petition, filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the Respondents 1 to 3 to reinstall the statue of Deity Arulmigu Mandhai Muniappan Swamy back to its original position in Survey No.800/32B, Esanatham Village, Aravakuruchi Taluk, Karur District and further direct the Respondents 4 and 5 to provide adequate police protection during the course of action within a time frame fixed by this Hon'ble Court on the basis of the representation of the Petitioners dated in 16.03.2026 and pass such further or other orders as this Honble court may deem fit and proper in the circumstances of this case and thus render justice.



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For Petitioners	: Mr.N.Marivel
For R1 to R3	: Mr.M.Sarangan Additional Government Pleader
For R4 & R5	: Mr.K.Gnanasekaran Government Advocate (Crl.Side)
For R6	: Mr.D.S.Haroon Rasheed
For R7 & R8	: Mr.C.Nihil Nandha

ORDER

The present writ petition is filed for a mandamus to direct the respondents 1 to 3 to reinstall the statue of Deity Arulmigu Mandhai Muniappan Swamy back to its original position in S.No.800/32B, situated at Esanatham Village, Aravakuruchi Taluk, Karur District and further direct the respondents 4 and 5 to provide police protection based on the petitioner's representation dated 16.03.2026.

2. Considering the nature of allegations and interventions, Mr.Shanmugam, M/s.A.Shruti Anbalagan and Mr.M.Thanga Pandi are *suo motu* impleaded as R6, R7 and R8 respectively, as they are necessary parties to the writ proceedings.



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5. When the matter came up for hearing, the learned Additional Government Pleader appearing on behalf of respondents 1 to 3 would submit that the representation of the petitioners dated 16.03.2026 has been considered and an order has been passed on 25.03.2026, wherein the petitioners were informed that the said survey number is a Government pathway and therefore, cannot be encroached upon and the same has been removed.

6. The learned counsel appearing for the 6th respondent would submit that there are prior litigations and disputes with reference to the said deity and therefore, it cannot be restored to its original place, as it was removed after a final decision was taken.

7. The learned counsel appearing for the 7th respondent would submit that the place in question is her private property, where she has constructed a septic tank for her dwelling house and that the deity is now kept on top of the said septic tank.



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8. I have considered the submissions made on either side and perused the material records of the case.

9. None of the learned counsel appearing on behalf of the respondents is in a position to deny the fact that the deity is presently placed on top of a septic tank. Therefore, the deity shall be removed forthwith from the said place within a period of one week from the date of receipt of a web copy of this order. The Assistant Commissioner (HR & CE Department), Karur, shall proceed to the spot and either personally or with due police protection if necessary, remove the deity and place it in the temple. The deity shall not be reinstalled in any public pathway. If space is available within the temple premises and all parties agree, the deity may be installed at a convenient location therein. In the event of any disagreement among the parties, the Assistant Commissioner shall take an appropriate decision to install the deity within the temple premises at a suitable place.



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10. With the above directions, the writ petition stands disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes
Speaking Order: Yes
Neutral Citation: No
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D.BHARATHA CHAKRAVARTHY, J.

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