

WP(MD)Nos.15950 of 2024, 17212 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

WP(MD)Nos.15950 of 2024, 17212 of 2025

WP(MD)No.15950 of 2024:-

Vanniyakulachathiriyar Nala Arakattalai
Rep. by its President
Murugan

: Petitioner

Vs.

- 1.The District Collector,
Karur District,
Karur.
- 2.The Revenue Divisional Officer,
Karur District,
Karur.
- 3.The Tahsildar,
Aravakuruchi Taluk,
Karur District.
- 4.The Inspector of Police,
Chinnadharapuram Police Station,
Karur District.
- 5.Marimuthu



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6.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Tiruppur District.

7.The Circle Inspector,
Hindu Religious and Charitable Endowments Department,
Aravakurichi Taluk,
Karur District.

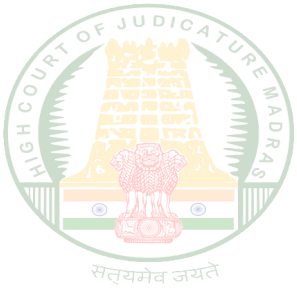
8.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Tiruppur.

: Respondents

[R.6, R.7 impleaded vide order dated 09.06.2025]

[R.8 *suo-motu* impleaded vide order dated 09.06.2025]

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the fourth respondent to provide adequate protection to the petitioner and the trustees and to the Arulmigu Mariamman Temple, Chinna Dharapuram, Aravakurichi Taluk, Karur District, by considering the petitioner's representation dated 10.07.2024.



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For Petitioner : Ms.R.Vidhya

For Respondents: Mr.F.Deepak
Special Government Pleader
for R.1 to R3

Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor
for R.4

Mr.S.Gokulraj for R.5

Mr.S.S.Madhavan,
Additional Government Pleader
for R.6 to R.8

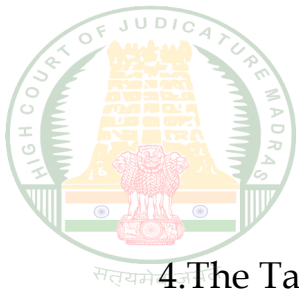
WP(MD)No.17212 of 2025:-

Marimuthu

: Petitioner

Vs.

- 1.The District Collector,
Karur District,
Karur.
- 2.The Superintendent of Police,
Karur District,
Karur.
- 3.The Revenue Divisional Officer,
Karur District,
Karur.



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4.The Tahsildar,
Aravakuruchi Taluk,
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5.The Inspector of Police,
Chinnadharapuram Police Station,
Karur District.

6.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Tiruppur District.

7.The Circle Inspector,
Hindu Religious and Charitable Endowments Department,
Aravakurichi Taluk,
Karur District.

8.Vanniyakulachathiriyar Nala Arakkatalai,
Rep. by its President,
Murugan

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings of the third respondent in Na.Ka.No.A2/320/2024 dated 19.07.2024, quash the same and consequently, directing the respondents 1 to 7 to open the Temple, namely, Sri Mariamman Temple, situated at Chinna Dharapuram, Aravakurichi



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Taluk, Karur District, for offering worship by the petitioner and villagers without any discrimination, by providing adequate police protection by the fourth respondent to the petitioner, devotees and villagers.

For Petitioner : Mr.S.Gokulraj

For Respondents: Mr.F.Deepak
Special Government Pleader
for R.1, R.3, R.4

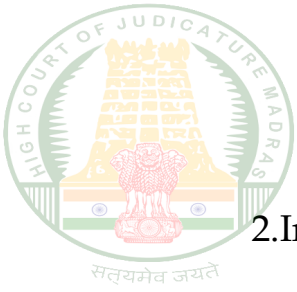
Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor
for R.2, R.5

Mr.S.S.Madhavan,
Additional Government Pleader
for R.6, R.7

Ms.R.Vidhya for R.8

COMMON ORDER

These writ petitions raise serious constitutional and administrative issues concerning the Arulmighu Mariamman Temple at Chinna Dharapuram, Karur District. At the centre of the dispute are two opposing claims – one side alleges that Scheduled Caste devotees are being denied entry into the temple, while the other side says that there is no such discrimination and that they have the right to manage the temple.



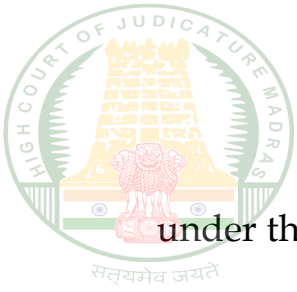
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2.In W.P.(MD)No.15950 of 2024, the petitioner Trust, said to represent the Vanniyakulachatriya community, seeks removal of the prohibitory order of 2018 and permission to resume festivals and worship. According to the Trust, no caste discrimination has happened at the temple.

3.On the other hand, in W.P.(MD) No. 17212 of 2025, the petitioner, Marimuthu, alleges that Scheduled Caste devotees are not being allowed to worship, and that officials have failed to protect their rights to equality and religion.

4.The District Collector, in his status report dated 07.07.2025, admits that the Temple has remained closed for all public worship and festival-related activities since 2018, however, poojas alone are being performed. The stated reason is the apprehension of communal tension and the risk of law and order disturbances.

5.This Court records its strong disapproval and condemnation of such a report. The closure of a public temple, not for days or weeks but for years,

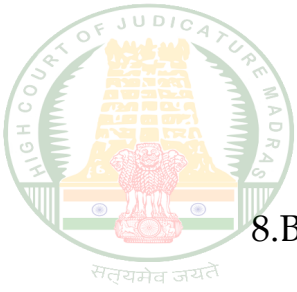


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under the guise of a law and order concern, is a dereliction of constitutional duty. The District Collector, as the top officer of the District, cannot escape his duty by simply saying there may be trouble. If there is any real threat, it is his responsibility to handle it using the State machinery.

6. Equally disturbing is the role of the District Police. They seem to think that the only way to keep peace is by denying entry to everyone. This is wrong. Stopping everyone from entering is not the way to maintain peace. It is the job of the police to make sure that rights are protected, and that anyone who breaks the law is dealt with properly. The law cannot treat the oppressor and the oppressed as equals.

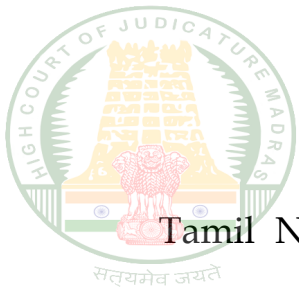
7. It is shocking that even after 75 years of independence, people are still being kept out of temples because of their caste. The Constitution of India does not allow discrimination among devotees. God does not belong to any one caste. He does not discriminate. Only human beings do.



8.Both sides have made different claims. The Trust says there is no caste discrimination, and that the Scheduled Caste people are asking for management rights, not just entry. According to them, they have been taking care of the temple for generations. But, on the other hand, the petitioner in W.P.(MD)No.17212 of 2025 alleges that the Scheduled Caste people are still not being allowed to worship, and that this is not about management, but basic access to the deity.

9.If the Trust really believes that there is no discrimination, then why should anyone be stopped from entering the temple? The easiest way to prove their claim would have been to allow joint worship under the supervision of officials. This would have respected everyone's rights and proved the Trust's claim. This Court wonders as to why the District Administration or the HR & CE Department did not even consider this?

10.The Trust says they have been managing the temple from ancestral times, paying the electricity bills, conducting poojas, and paying staff. But even if that is true, this does not give them any legal control under the

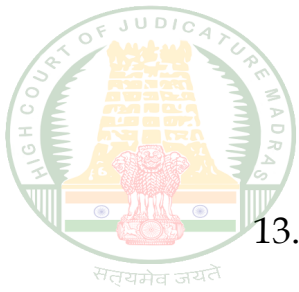


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Tamil Nadu HR & CE Act, 1959. As per the law, only the HR & CE Department can decide who should manage a public temple, and that too only after following proper procedures.

11.The petitioner Marimuthu has submitted an RTI reply dated 22.09.2023 from the HR & CE Department, which clearly says the temple is under their control. The Trust itself has filed a copy of a draft scheme dated 27.12.2023, issued by the Joint Commissioner, HR & CE, proposing to appoint a non-hereditary trustee from their side, and inviting objections. Nothing is placed on record that any scheme has been finalized so far.

12.Even the Collector admits in his report that the temple is under HR & CE control and is being managed by a Fit Person. This means that, legally, the temple is still a public temple under the HR & CE Department, and the Trust has no official right to claim full control at this time. If they want such a right, they should approach the appropriate authority under the HR & CE Act. Until then, they cannot act as if they own the temple.

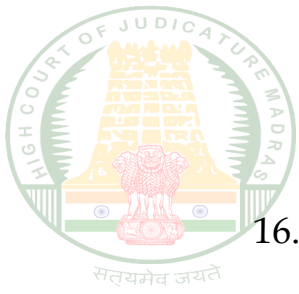


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13.It is the duty of the HR & CE Department and the State to make sure that everyone is allowed to worship, and that there is no caste-based exclusion.

14.A good example of how such situations can be handled is the Kandadevi Temple festival in Sivagangai District, held in June 2024. That temple festival had been stopped for 17 years due to similar caste tensions. But in 2024, the present Government took proactive steps, used enough police force, spoke with all communities, and ensured that the festival happened peacefully – with participation of all, including Scheduled Caste devotees.

15.That success was not because they avoided conflict, but because they showed firm leadership and commitment to the Constitution. This shows that equality and peace can go hand in hand, if officials are willing to act. The same could have been done here – but was not. The Government must remember that peace built by denying rights is not real peace, it is surrender.



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16.The HR & CE Department shall, within two weeks, file a detailed

report stating:

- Who is currently managing the temple;
- Whether all communities are allowed to worship;
- Whether the draft scheme under Section 64 has been finalised;
- Why joint worship under government supervision was not arranged so far.

17.The District Collector, Karur, shall file an affidavit explaining:

- Why the temple has remained closed since 2018;
- Why he did not take steps to allow joint worship with police protection;
- What action he now proposes to take to restore worship and ensure equality.

18.The Superintendent of Police, Karur District, shall file a report on:

- The current law and order situation;
- Whether enough police force can be provided to enable joint worship



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and peaceful festivals.

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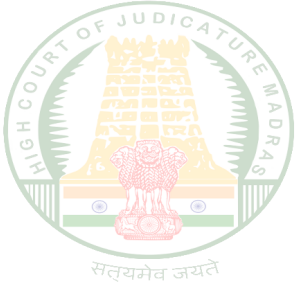
19.This Court makes it clear that no person or group can block access to a public temple based on caste. If anyone tries to create trouble or claim superiority based on caste, they will face strict legal consequences. The right to worship cannot be sacrificed for the sake of silence.

20.Both parties are directed to cooperate with the officials and maintain peace and harmony. No one shall take the law into their own hands.

Post the matter after three weeks for further hearing.

Internet : Yes
gk

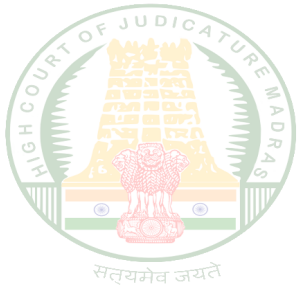
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B.PUGALENDHI, J.

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