

WP No.21769 of 2023 and WP No.19128 of 2023
and WMP Nos.21115 of 2023 and 18385 of 2023

N.ANAND VENKATESH, J.,

The learned counsel appearing on behalf of the petitioner in both the writ petitions made a mention before this Court for passing an interim order to ensure that daily pooja is conducted in the temple, since it involves the sentiments / beliefs of the local villagers. Pursuant to this mentioning, the matter was directed to be listed today.

2. This Court requested the learned Advocate General and the learned State Public Prosecutor to take instructions. This Court also requested the District Collector, Villupuram and also the Superintendent of Police, Villupuram, to be present at the time of hearing through video conferencing platform.

3. The District Collector, Villupuram and the Superintendent of Police, Villupuram, raised some apprehension that the opening of the temple may result in a law and order problem more particularly considering the fact that the Lok sabha elections are going to be held in the month of April.

4. The learned Advocate General submitted that a volatile situation is prevailing in the area and therefore, the opening of the temple should not result in a law and order problem. The learned Advocate General submitted that this Court can take into account the prevailing situation and issue necessary directions to ensure that the sentiments / beliefs of the local villagers is respected and at the same time, no law and order problem is created by any one.

5. The learned State Public Prosecutor appearing on behalf of the police submitted that at the time when the temple is opened for conducting the pooja, the police force will be present near the temple and no one will be permitted to enter the temple.

6. This Court has carefully considered the submissions made on the side of the petitioners and also the learned Advocate General and the learned State Public Prosecutor appearing on behalf of the respondents. This Court also carefully considered the request made by the District Collector, Villupuram and the Superintendent of Police, Villupuram to ensure that no law and order problem is created particularly during the election time.

7. In the instant case, the Draupathiamman temple is in existence for a long time and daily poojas were regularly performed for the idol. This involves the sentiments / beliefs of the local villagers and therefore, the poojas not being performed for the idol as an impact on such sentiments of the local villagers. Therefore, this Court has to strike a via media for the present to ensure that the daily poojas are performed and at the same time no one is allowed to enter the temple or cause any law and order problem.

8. With the above object in mind, there shall be a direction to the Joint Commissioner of HR&CE, Villupuram District to utilise the services of a Poojari, who will perform the pooja at Draupathiamman temple. The temple will be opened only to enable the Poojari to enter into the temple and perform the pooja and after the same is completed, the temple will remain closed. No one will be permitted to enter the temple until further orders are passed by this Court. At the time of opening of the temple, the Superintendent of Police, Villupuram District, shall make arrangements to post sufficient police to ensure that no law and order problem is created. This interim arrangement will

continue until further orders are passed by this Court. It is further made clear that the poojari nominated by the HR&CE to conduct the pooja is only an interim arrangement and that will not in any way affect the right of the respective parties and the right of the existing poojari, who conducts the pooja in this temple.

9. It is made clear that if any one attempts to create any law and order problem or cause any violence, it is left open to the police to take stringent action against them. Considering the fact that Lok Sabha elections are going to be held during the month of April and the results are going to be declared during the month of June, this Court has to ensure that no untoward incident or law and order problem is created in the light of opening the temple for conducting the pooja. If any such situation arises, it shall be brought to the notice of this Court and this Court will pass orders to continue with the present status quo by keeping the temple closed.

10. Post these Writ petitions under the caption for passing further orders on 10.06.2024 along with WP Nos.18355,18385, 21769 and 25992 of 2023.

18.03.2024

rka

Index : Yes/No

Internet : Yes/No

Speaking order : Yes / No

N.ANAND VENKATESH.,J
rka

**WP No.21769 of 2023 and WP No.19128 of 2023
and WMP Nos.21115 of 2023 and 18385 of 2023**

18.03.2024