

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.23119 of 2023

Thangamani
W/o.Late Pongiyannan

...Petitioner

Vs

1.The Collector,
Erode District,
Erode.

2.The Superintendent of Police,
Erode District, Erode.

3.The Deputy Superintendent of Police,
Gobichettipalayam,
Erode District.

4.The Inspector of Police,
Siruvalur Police Station,
Siruvalur, Gobichettipalayam,
Erode District.

5.Aiyavu
S/o.Maaran

6.Murali @ Karuppusamy
S/o.Maaran

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 4 to provide police protection to the petitioner and her son Srinath to enter into the Periyakaruparayan temple situated at Kalaimagal Street, Kettiseviyur Post, Nambiyur Taluk, Erode District and participate in the temple festival on 09.08.2023 and 10.08.2023 for two days based on the representation of the petitioner dated 19.07.2023.

For Petitioner : Mr.V.Elangovan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1 to R4]

ORDER

This Writ Petition has been filed for a direction to the respondent police to provide police protection to the petitioner and her son in order to enter the Periyakaruparayan temple situated at Nambiyur Taluk, Erode District and participate in the temple festival on 09.08.2023 and 10.08.2023 based on the representation dated 19.07.2023.

2. Heard Mr.V.Elangovan, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondents 1 to 4.

3. The case of the petitioner is that her husband used to be the Poojari of the Periyakaruparayan temple. He died on 28.08.2017. During this Aadi month, the temple committee decided to conduct the Aadi festival in the said temple on 09.08.2023 and 10.08.2023. The petitioner and her son want to participate in the festival and offer their worship to the God. The respondents 5 and 6 seem to have threatened the petitioner stating that she should not enter the temple since she is a widow. Hence, the petitioner made a representation to the official respondents to give police protection and since the same was not considered, the present Writ Petition has been filed before this Court.

4. It is quite unfortunate that the archaic beliefs that if a widow enters a temple it will cause impurity continues to prevail in this State. Even though, the reformers are attempting to break all these senseless beliefs, it continues to be practiced in some villages. These are the dogmas and the rules framed by man to suit his convenience and it actually demeans a woman just because she has lost her husband. All this can never continue in a civilized society, which is governed by rule of law. If any such attempt is made by anyone to stop a widow from entering the temple, action must be

taken against them in accordance with law. A woman, by herself, has a status and identity and that cannot in any way come down or be taken away depending upon her martial status. In view of the same, the respondents 5 and 6 do not have any right to stop the petitioner and her son from attending the festival and worshipping God.

5. In the light of the above discussion, there shall be a direction to the fourth respondent police to call the respondents 5 and 6 and clearly inform them that they cannot stop the petitioner and her son from entering the temple and attending the festival. If, in spite of the same, if the respondents 5 and 6 attempt to create a law and order problem, action shall be taken against them immediately. The fourth respondent shall ensure that the petitioner and her son participate in the festival both on 09.08.2023 and 10.08.2023.

This Writ Petition is disposed of with the above directions. No costs.

04.08.2023

Note : Issue today

Index : Yes/No

Speaking order:Yes/No

Neutral citation:Yes/No

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To

- 1.The Collector,
Erode District,
Erode.
- 2.The Superintendent of Police,
Erode District, Erode.
- 3.The Deputy Superintendent of Police,
Gobichettipalayam,
Erode District.
- 4.The Inspector of Police,
Siruvalur Police Station,
Siruvalur, Gobichettipalayam,
Erode District.
- 5.The Public Prosecutor,
High Court, Madras.

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N.ANAND VENKATESH, J

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