



W.P.Crl.No.191 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

W.P.(Crl.)No.191 of 2026

P.Rajamani

... Petitioner

Vs.

1. The Superintendent of Police,
Erode, Erode District.
2. The Deputy Superintendent of Police,
Bhavani, Erode District.
3. The Inspector of Police,
Vellithiruppur Police Station,
Erode District.
4. Thangarasu

... Respondents

PRAYER: Writ Petition (Criminal) is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus or direction in the nature of writ, to direct the respondents to provide police protection to carry out the weekly poojas and poojas on the auspicious days throughout the year as poosari of Sri Irusiyamman Temple, Kurumbapalayam Village, based on the decree dated 04.10.2013 passed in O.S.No.415 of 2011 on the file of the learned Principal District Munsif, Bhavani and based on the representation made by the petitioner and others dated 19.08.2024 to the respondents herein.



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For Petitioner : Mr.S.Kaithamalai Kumaran
For R1 to R3 : Mr.K.M.D.Muhilan
Additional Public Prosecutor

ORDER

The present Writ Petition (Criminal) has been filed seeking a direction to respondents 1 to 3 to provide police protection for the petitioner to perform poojas in Sri Irusiyamman Temple, Kurumbapalayam Village based on his representation dated 19.08.2024.

2. Mr.K.M.D.Muhilan, learned Additional Public Prosecutor, takes notice on behalf of respondents 1 to 3.

3. In view of the consent expressed by the learned counsel on either side, this Writ Petition (Criminal) is taken up for final disposal at the admission stage itself. Notice to the third respondent is dispensed with inasmuch as no order prejudicial to his interest is passed.

4. When the matter was taken up for hearing the learned Additional Public Prosecutor appearing for respondents 1 to 3 submitted that an enquiry was conducted on the petitioner's representation and during



the course of the enquiry, it was found that a civil dispute exists between the petitioner and the fourth respondent regarding the administration of the temple. He further submitted that the suit in O.S.No.35 of 2025 filed by the fourth respondent is still pending.

5. Having heard the learned counsel appearing on either side and upon perusal of the materials available on record, this Court is of the view that when there is a rival claim by the opposite party, the practice of granting blanket police protection, especially in respect of immovable property without title being established, may lead to serious consequences. In this context, it is apropos to point out that the Hon'ble Apex Court, in ***PR.Muralidharan and others Vs. Swami Dharmananda Theertha Padar***, reported in (2006) 4 SCC 501, has held as follows:

"...19.A Writ for "Police Protection "so-called, has only a limited scope, as when the Court is approached for protection of rights declared by a decree or by an order passed by a civil Court. It cannot be extended to cases where rights have not been determined either finally by the civil Court or, at least at an interlocutory stage in an unambiguous manner, and then too in furtherance of the decree or order."



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6. Accordingly, this Writ Petition (Criminal) stands closed. The petitioner is at liberty to work out the remedy before the civil Court in accordance with law. No costs.

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Neutral Citation: Yes/No

To

1. The Superintendent of Police,
Erode, Erode District.
2. The Deputy Superintendent of Police,
Bhavani, Erode District.
3. The Inspector of Police,
Vellithiruppur Police Station,
Erode District.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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