



W.P.CRL.(MD)No.833 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2026

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.CRL.(MD)No.833 of 2026
W.M.P.CRL.(MD).No.218 of 2026

P.Rajaguru

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Sankarankovil, Tenkasi District.
2. The Inspector of Police,
Karivalam Vanthanallur Police Station,
Tenkasi District.
3. The Tahsildar,
Sankarankovil Taluk,
Thenkasi District.
4. S.Kannayiravel

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, direct the respondents 1 to 3 herein to give sufficient police protection to the petitioner, his family members and his private



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patta land in Patta No.1179 for Survey No.46/2C2 Panthapuli Village, Sankarankovil, Tenkasi District, against the 4th respondent and his community people from trespassing into the petitioner's patta land in the guise of worship and performance Maha Sivarathiri Festival at any time, including on 15.02.2026 on the basis of the representation given by the petitioner in person on 10.02.2026.

For Petitioner : Mr.K.Muthu Ganesa Pandian

For Respondents : Mr.A.S.Abul Kalaam Azad
Government Advocate (Crl.Side) (R1 & R2)

Mr.P.Thambidurai
Government Advocate (R3)

For Intervenor : M/s.S.Anusha

ORDER

This petition has been filed seeking to direct the respondents 1 to 3 to grant adequate police protection based on the representation of the petitioner dated 10.02.2026.

2. The brief facts as stated in the affidavit is that the petitioner is the absolute owner of the property situated in S.No.46 of 2C2 in Panthapuli Village,



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Sankarankovil Tenkasi District admeasuring 1.00 acre 13 cents comprised in Patta No.1179 and the said patta also stands in the name of the petitioner. The property belongs to the petitioner's ancestors and title documents are available from 20.01.1939 to till date and the petitioner had acquired title, possession and enjoyment of the property vide registered family partition deed dated 11.05.1983, which was entered among the family members vide Doc.No.706 of 1983. Hence the learned counsel appearing for the petitioner submitted that it is evident that the property in question is a private property belonging to the petitioner.

3. The petitioner further submitted that the petitioner has maintained the said area as a garden. When the private respondent created problem, the petitioner had constructed a compound wall and ensured that the outsiders are not entering the garden. Further submitted that in the said private land the petitioner's ancestors had installed three idols and was worshiping the same, hence the idols belong to their family. Therefore, the 4th respondent cannot interfere with the said garden and the idols.



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4. The learned counsel appearing for the intervenor / private respondent had objected to allow this petition and submitted that the idols are the family deity of the private respondent and they were worshipping the same for long time. Further submitted that the private respondent belong to the schedule caste community and the petitioner is not allowing the private respondent for worshipping the deity.

5. The learned Government Advocate (Crl. Side) appearing for the official respondents submitted that the property belongs to the petitioner and that patta has also been issued by the competent authorities to the petitioner.

6. After hearing the rival submissions, this Court had given its anxious consideration. It is seen that the property in question belongs to the petitioner and his ancestors and the official respondents submitted that the patta stands in the name of the petitioner, thereby confirm the property in question belongs to the petitioner. Further it is seen that the idols were installed by the petitioner's grandfather and the petitioner's ancestors were worshipping the same. The private respondent / 4th respondent had created problem from 2015 onwards. The official



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respondents have enquired the issue and had come to the conclusion that the property belong to the petitioner and the idols were installed by the petitioner's ancestors and thereafter had advised the petitioner to construct compound wall. Based on the same the petitioner had constructed the compound wall. The 4th respondent has not produced any evidence to claim right over the property. Further the contention of the 4th respondent that he belongs schedule caste community and the petitioner is preventing the 4th respondent from worshiping, cannot be entertained, since the land in dispute belongs to the petitioner and the idols is installed by the petitioner in his private land. Further it is not a not temple, but an open space where the idols were installed under a tree.

7. Therefore, the 4th respondent is hereby restrained from interfering with the petitioner's peaceful possession and enjoyment of the said private property and the idols installed in the petitioner's property. And also restrained from worshiping and trespassing into the land. The official respondents shall initiate appropriate action if the 4th respondent is trespassing in the petitioner's land.



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8. With the above directions, this Writ Petition (Criminal) is disposed of.

Consequently, connected miscellaneous petition is closed.

13.02.2026

Index : Yes / No

Internet : Yes

NCC : Yes / No

msrm

Note : -Issue order copy on 23.02.2026

To

1. The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Sankarankovil,
Tenkasi District.
2. The Inspector of Police,
Karivalam Vanthanallur Police Station,
Tenkasi District.
3. The Tahsildar,
Sankarankovil Taluk,
Thenkasi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai



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S.SRIMATHY, J

msrm

**Order made in
W.P.CRL.(MD)No.833 of 2026
W.P.CRL.(MD).No.218 of 2026**

13.02.2026