



WP.MP.(MD)No.950 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.07.2026

CORAM :

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

WP.MP.(MD)No.950 of 2026

in

WP.Crl.(MD)No.3151 of 2026

D.Venkatesan

... Petitioner

Vs

1. G. Marisamy,

2. The District collector
Theni district
Collectorate Office
Theni District.

3. The Tahsildar
Andipatti, Theni
Theni District.

4. The Deputy Superintendent of Police - Andipatti
Theni, Andipatti Sub Division
Theni District.

5. State Of Tamilnadu Rep By Inspector Of Police
Andipatti Police Station,
Theni District.

... Respondents



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WEB PRAYER in WP.MP(MD).No.950 of 2026: Writ Miscellaneous Petition is filed under Section 528 of BNSS, 2023, to recall the order passed in W.P. CrI. (MD). No. 3151 of 2026 dt. 15.06.2026 and not to give any direction/order regarding the police protection for conducting the Guruvaiyammal temple festival till the disposal of the suit in O.S. No.201 of 2024 on the file of the Sub-Court, Theni.

For Petitioner : Mr.J.Balameenakshi

For Respondent : Mr.P.Karthick

ORDER

The present petition has been filed seeking to recall the order passed in W.P. CrI.(MD). No. 3151 of 2026 dt. 15.06.2026 and not to give any direction/order regarding the police protection for conducting the Guruvaiyammal temple festival till the disposal of the suit in O.S. No.201 of 2024 on the file of the Sub-Court, Theni.

2. The learned Counsel appearing for the petitioner submitted that the petitioner's father had been administering the Guruvaiyammal temple and festival for several years in the capacity of Administrator-cum-Poojari. After his



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demise, the petitioner has been performing the pooja rituals. He further submitted that the first respondent, with a *malafide* intention, formed a trust under a registered Trust Deed dated 03.05.2013, claiming exclusive authority to maintain and administer the aforesaid deity home, which is legally unsustainable. The petitioner's father, and thereafter the petitioner, had been performing the pooja rituals and maintaining the aforesaid deity home. However, all of a sudden, the first respondent started interfering with the administration and poojariship of the said temple. Hence, the petitioner lodged a complaint before the fifth respondent. However, suppressing the true facts, the first respondent approached this Court by filing W.P.(Crl.)(MD) No.3151 of 2026 and, without affording an opportunity to the petitioner herein to put forth his case, obtained an order from this Court.

3. He further submitted that the petitioner herein has filed a suit in O.S. No.201 of 2024 before the Sub Court, Theni, seeking a declaration and permanent injunction, and the same is pending. The first respondent has no right to obtain an order of police protection while the civil suit is pending. Therefore, the petitioner has filed the present petition seeking to recall of the order dated 15.06.2026.

4. Heard both side and perused the materials available on record.



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5. After hearing both sides, this Court is of the view that the present Writ Miscellaneous Petition is devoid of merits. Hence, this Court is not inclined to allow the same. Accordingly, this Writ Miscellaneous Petition is dismissed.

15.07.2026

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L.VICTORIA GOWRI, J.

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