

W.P.Crl.(MD)No.4276 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 31.07.2026

CORAM :

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.Crl.(MD)No.4276 of 2026

R.Murugesan

... Petitioner

Vs.

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

2. The Inspector of Police,
Andipatti Police Station,
Theni District.

3. G.Marisamy

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to give police protection to conduct the Aadi Peruku festival by the petitioner at the family deity temple namely Sri Guruvaji Amman Temple situated at West Street, T.V.K.Nedungulam, Thimmarajapuram, Andipatti Taluk, Theni District on 03.08.2026 on the basis of the petitioner's representation dated 24.07.2026 and to pass such further or orders.



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For Petitioner : Mr.B.Thanga Aravindh

For Respondents : Mr.D.Rajaboopathy

Government Advocate (Crl.) - For R1 & R2

Mr.S.Ravi (R3)

ORDER

This matter is listed under the caption for clarification today.

2. This Writ Petition has been filed seeking to direct the 2nd respondent to give adequate police protection for conducting the temple festival of 'Sri Guruvaji Amman Temple' situated at West Street, T.V.K.Nedungaullam, Thimmarajapuram, Andipatti Taluk, Theni District, scheduled to be held on 03.08.2026, based on the petitioner's representation dated 24.07.2026.

3. The learned counsel appearing for the petitioner submitted that, earlier, one Dhanushnayudu and Venkatesan had filed a civil suit in O.S. No.74 of 2011 on the file of the District Munsif Court, Andipatti, against the 3rd respondent herein. The said suit was dismissed by the trial Court on 19.11.2021. Aggrieved by the said judgment and decree, the 3rd respondent preferred an appeal in A.S. No.11 of 2023 on the file of the Sub Court, Theni,

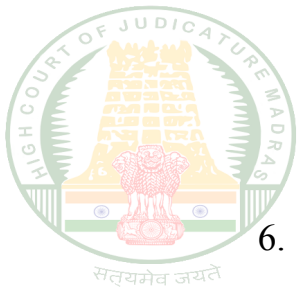


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which was subsequently dismissed as withdrawn on 09.02.2024. Thereafter, the petitioner herein filed a fresh civil suit in O.S. No.201 of 2024 on the file of the Sub Court, Theni, and the same is pending. In the meantime, the 3rd respondent approached this Court by filing W.P.(MD) No.3151 of 2026, seeking permission to conduct the temple festival. In the said writ petition, the 3rd respondent relied upon the judgment and decree in A.S. No.11 of 2023 and represented that the same was in his favour, whereas, in fact, the appeal had been dismissed as withdrawn.

4. The learned Counsel appearing for the petitioner submitted that the earlier suit in O.S.No.74 of 2011 was filed for the relief of bare injunction, whereas a suit in O.S. No.201 of 2024 has been filed seeking a declaration of title. Hence, the petitioner sought the indulgence of this Court to issue necessary directions to the respondent police to provide police protection for conducting the Aadi Perukku festival at Sri Guruvaijji Amman Temple.

5. Heard the learned counsel on either side and carefully perused the materials available on record.



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6. Considering the rival submissions and upon perusal of the materials available on record, this Court is of the considered view that the respondent police shall issue notice to the petitioner as well as the third respondent under Section 64 of the BNSS and take appropriate steps to facilitate the peaceful conduct of the Aadi Perukku festival at Sri Guruvaji Amman Temple by the third respondent, who is the petitioner in WP.Crl.(MD) No.3151 of 2026.

7. The petitioner and the third respondent are directed to produce before the respondent police all the relevant orders passed by the competent Courts in support of their respective claims.

8. It is further made clear that no villager, including the petitioner and the private respondents in the present writ petition, as well as the parties to WP.Crl.(MD) No.3151 of 2026 and WPMP.Crl.(MD) No.950 of 2026, shall be prevented from participating in the temple festival or offering worship at the temple, subject to law and order being maintained.

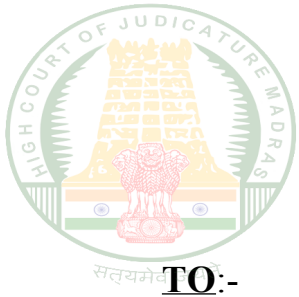
9. With the above directions, this Writ Petition stands disposed of.

31.07.2026

NCC : Yes / No

Index : Yes / No

Note: Issue order copy on 31.07.2026



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TO:-

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1. The Superintendent of Police,
Andipatti Sub-Division,
Theni District.
2. The Inspector of Police,
Andipatti Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L.VICTORIA GOWRI, J.

Sm/gvn

Order made in
W.P.Crl.(MD)No.4276 of 2026

Dated
31.07.2026