

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.26491 of 2015

Dr.A.Thangaraj

... Petitioner

Vs

1.State Rep. By

The Superintendent of Police,
Namakkal District.

2.The Inspector of Police,
Rasipuram Police Station,
Rasipuram Town & Taluk,
Namakkal District.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to respondents to provide necessary police protection to petitioner and for the temple festival being effectively conducted from 02.11.2015 to 07.11.2015 in the Mariamman Temple at Athipalakanur Village, Rasipuram Taluk, Namakkal District.

For Petitioner : Mr.M.V.Muralidharan

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

The present criminal original petition has been filed seeking a direction to respondents 1 and 2 to take appropriate action on the petitioner's complaint dated 23.4.2013 against the third respondent and his men and also to give police protection to his agricultural lands measuring an extent of 3 acres and 50 cents comprised in S.Nos.157/1 to 157/10 situated at Mathur Village, Chinna Salem Taluk, Vilupuram District.

2. When the matter is taken up for consideration, learned Additional Public Prosecutor appearing for the respondent has opposed to provide police protection stating that there is a rival group and the rival group has also issued pamphlets to conduct the festival and if a direction is given,

there will be a law and order problem. Further, the learned Government Advocate has also produced a copy of the order dated 03.11.2014 made in CrI.O.P.No.29410 of 2014 passed by this Court and submits that when the petitioner approached this Court seeking permission to conduct the festival on 04.11.2014, this Court dismissed the said Criminal Original Petition. The relevant portion of the said order reads as follows:

"2. In my considered opinion, the said relief cannot be granted at all. A village festival normally involves several people in the village. If any dispute between them, it is for the revenue authorities to interfere in the matter and resolve the same. For that, this Court cannot issue any direction by invoking its power under Section 482 Cr.P.C., without knowing the facts, in favour of one party which is detrimental to other party."

3. In my considered opinion, the reason assigned in the said order still holds good. Hence, I am not inclined to consider the prayer made in this petition.

Accordingly, this Criminal Original Petition is dismissed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

vsm

To

The Superintendent of Police,
Namakkal District.

2.The Inspector of Police,
Rasipuram Police Station,
Rasipuram Town & Taluk,
Namakkal District.

3.The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.26491 of 2015

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