



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P. (MD) No.10047 of 2017

WEB COPY

K. Subramanian

...Petitioner

-Vs-

- 1.The Superintendent of Police,
Thirunelveli District Police,
Palayamkottai,
Thirunelveli District.
- 2.The Inspector of Police,
Nanguneri Police Station,
Nanguneri, Thirunelveli District.
- 3.The Executive Officer,
Sri Peruvempudayar Sastha Koil,
Rajakkal Mangalam Village,
Valliyoor Post - 627 117
Thirunelveli District.

...Respondents

PRAYER:

This Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, to direct the 2nd respondent not to harass the petitioner under the guise of enquiry.

For Petitioner : Mr.P. Subbaiah

For Respondents : Mr.K.Anbarasan

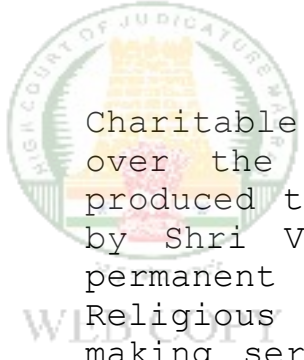
Government Advocate(Crl.Side)

O R D E R

This Criminal Original petition is filed by the petitioner for a direction to direct the 2nd respondent not to harass the petitioner under the guise of enquiry.

2. Heard the learned counsel appearing for the petitioner and learned Government Advocate(Criminal side) appearing for the respondent.

3. This petition clearly disclose the fact that it is a civil dispute between the petitioner and the Hindu Religious and Charitable Endowment Department in relation to particular piece of land near a temple. Even, the claim of the petitioner is not consistent with his right over the temple. The Hindu Religious and



Charitable Endowment Department requested the petitioner to hand over the premises long back. However, the petitioner has produced the renewal of lease deed alleged to have been executed by Shri Vanamamalai Math. There is a dispute regarding some permanent structures put up by the petitioner. The Hindu Religious and Charitable Endowment Department has issued notice making serious allegations against the petitioner for collecting donation from devotees under the guise of Annadanam. If the petitioner's grievance is that he is put to harassment because of his lawful enjoyment of the disputed property, his right is to approach the Civil Court and seek proper relief. In order to protect his possession or for the purpose of continuing some act which is objectionable to the statutory authorities, the petitioner cannot be allowed to approach this Court. It appears that the petitioner just to protect his possession and activities from the The Hindu Religious and Charitable Endowment Department, who are entitled to act and protect every public temple as a trustee for the benefit of public and to safeguard the property of religious institutions. It is also their duty to provide all facilities to the devotees apart from regulating all the affairs relating to the temple.

4. Having regard to the facts this Court is not inclined to entertain this vexatious petition. Accordingly, the Criminal Original Petition is dismissed with cost.

5. The petitioner shall pay a sum of Rs.1,000/- (Rupees One Thousand only) towards cost to the credit of the Hon'ble Chief Justice Relief Fund, Madras High Court, within a period of two weeks from the date of receipt of a copy of this order.

Sd/-

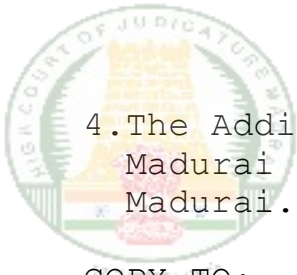
Assistant Registrar(CS-II)

/Truecopy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Thirunelveli District Police,
Palayamkottai,
Thirunelveli District.
- 2.The Inspector of Police,
Nanguneri Police Station,
Nanguneri, Thirunelveli District.
- 3.The Executive Officer,
Sri Peruvempudayar Sastha Koil,
Rajakkal Mangalam Village,
Thirunelveli District.



4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

COPY TO:

The Section Officer, Account Section,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.P.SUBBIAH, Advocate SR.No.69112

trp

MAS/SKN-RSK/SAR2:24.08.2017:3P-7C

CRL.O.P. (MD) No.10047 of 2017

01.08.2017