



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2019

CORAM

WEB COPY

THE HONOURABLE Mr.JUSTICE M.DHANDAPANI

Crl.O.P.No.5512 of 2019

D.Baskaran

.. Petitioner

Vs

1. The Superintendent of Police,
Trichy.2. The Inspector of Police,
Samayapuram Police Station,
Trichy District.

3. S.C.Rathinavel Pillai

.. Respondents

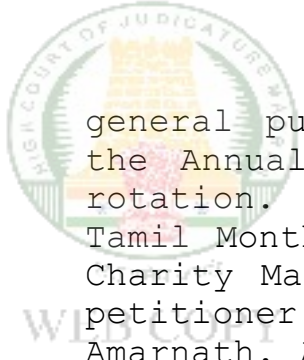
Prayer:Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the first and second respondents to give adequate police protection to the petitioner to conduct the charity in the "Samayapuram Mariamman Kuthirai Vahana Vazhinadai, Dharma Thanneer Pandhal Ubaya Mandapa Trust" building in Survey No.273/6, 7,9,10 and 11 situated in No.10/1-6 and 12/1-5 Ward No.I, East Car Street, S.Kannanur Town Panchayat, Samayapuram, Trichy District.

For Petitioner : Mr.N.Sankar Ganesh

For R1 & R2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)**ORDER**

This petition has been filed to direct the first and second respondents to give adequate police protection to the petitioner to conduct the charity in the "Samayapuram Mariamman Kuthirai Vahana Vazhinadai, Dharma Thanneer Pandhal Ubaya Mandapa Trust" building in Survey No.273/6, 7,9,10,11 situated in No.10/1-6 and 12/1-5 Ward No.I, East Car Street, S.Kannanur Town Panchayat, Samayapuram, Trichy District.

2.The case of the petitioner is that the petitioner's father T.P.Sundaram Pillai and one S.C.Rathinavel Pillai, P.C.Sethuram Pillai and P.Dhandapani Pillai is maintaining the Charity and during Chithirai Festival distributing water to the



general public and the devotees of Samayapuram Mariamman during the Annual Car Festival and the same has to be carried out in rotation. The said Charity will be conducted for two days in the Tamil Month of Chithirai. The deity of Mariamman will come to the Charity Mandapam on April 15 every year and as per rotation, the petitioner has to conduct the charity in place of his deceased son Amarnath. At this juncture, the said R.C.Rathinavel Pillai and his sons have created a problem and refused to hand over the key, after the ceremony. Further, they are proposing to conduct this year Mandagapadi without consulting the petitioner. For which, the petitioner filed the present petition with above said prayer.

3.The learned counsel for the petitioner would submit that the dispute with regard to Mandagapadi, already the third respondent filed a suit in O.S.No.183 of 2018 against the said Sundaram Pillai, petitioner and others and the same was dismissed for default and this year festival is the petitioner's turn. Hence, he is entitled to conduct Mandagapadi in the said Temple. For which, he give a representation for police protection.

4.The learned Government Advocate (Crl.Side) would submit that it is purely a civil dispute. The dispute has to be resolved in the manner known to law. The Law Enforcing Agency cannot provide police protection without showing any proof.

5.Considering the facts and circumstances of the case and considering the submissions made by the learned Government Advocate (Crl.Side), the petitioner has not produced any proof before this Court that he is entitled to conduct Madagapadi. Hence, this petition is not maintainable and the same is dismissed. However, this petitioner is given liberty to workout his remedy in the manner known to law.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Superintendent of Police,
Trichy.

2. The Inspector of Police,
Samayapuram Police Station,
Trichy District.



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

+1 CC to MR.N.SHANKAR GANESH, Advocate (SR-60848[F] dated
12/04/2019)

Cr1.O.P.No.5512 of 2019
12.04.2019

dss

AE/ (13.05.2019) 3P 5C