



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 18.07.2019
CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WEB COPY

W.P. (MD) No.14022 of 2018
and
W.M.P. (MD) No.12721 of 2018

A/m.Mariamman Temple,
Represented through its
Trustee P.Maragatham,
163, Alagar Koil Main Road,
Tallakulam Outpost,
Madurai-625 002.

: Petitioner

Versus

1.The Inspector of Police,
Land Grabbing Cell,
Office of the Commissioner of Police,
Madurai.

2.V.S.Raja

: Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, forbearing the first respondent from interfering in a civil dispute in O.S.No.147 of 2008 on the file of the Third Additional Subordinate Court, Madurai, between the petitioner and the second respondent in respect of the affairs of Arulmigu Mariamman Temple, Tallakulam, Madurai.

For Petitioner : Mr.R.G.Shankar Ganesh
For Respondent No.1 : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor

ORDER

This Writ Petition has been filed seeking to forbear the first respondent from interfering in a civil dispute pending between the petitioner and the second respondent in O.S.No.147 of 2008 on the file of the Third Additional Subordinate Court, Madurai, in respect of the affairs of Arulmigu Mariamman Temple, Tallakulam, Madurai.

2. The grievance of the petitioner is that, there is a civil dispute between the petitioner and the second respondent regarding the conduct of "Mandagapadi" in connection with the temple festival. Now, a suit is also pending in O.S.No.147 of 2008



on the file of the Third Additional Subordinate Court, Madurai. Pending suit, the first respondent, at the instigation of the second respondent, is interfering with the civil dispute. Hence, the present Writ Petition has been filed.

3. Earlier, when the Writ Petition came up for hearing, the learned Additional Public Prosecutor appearing for the first respondent, on instructions, submitted that regarding the conduct of "Mandagapadi" in the temple, a civil suit is pending between the petitioner and the second respondent. In the meantime, one Sathishkumar has given a complaint against the petitioner before the first respondent, based on which, enquiry has been conducted and the petitioner was only called for the purpose of enquiry. Without participating in the enquiry, the petitioner has come forward with the present Writ Petition.

4. This Court, by order dated 02.07.2018 in W.P.(MD) No.14022 of 2018, directed the first respondent to file a report. Today, the learned Additional Public Prosecutor appearing for the first respondent filed a report stating that now after enquiry, complaint has been closed as civil dispute, directing the parties to seek their remedy before the Civil Court concerned.

5. Considering the fact that already, based on the complaint given by one Sathishkumar, enquiry has been conducted and thereafter, the complaint has been closed, nothing remains to be adjudicated in the present Writ Petition. Hence, the Writ Petition stands closed. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

Sub Assistant Registrar(CS)

To
The Inspector of Police,
Land Grabbing Cell,
Office of the Commissioner of Police,
Madurai.

+1 CC to Mr.R.G.SHANKAR GANESH, Advocate SR-76154.

Order made in
W.P. (MD) No.14022 of 2018
Dated: 18.07.2019