



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P. No.13368 of 2021

Rajendhiran
S/o.Veeramuthu

...Petitioner

Versus

1. The Superintendent of Police,
Ariyalur District,
Ariyalur.

2. The Inspector of Police
Thalavoi Police Station,
Ariyalur District.

3. Rajendhiran
S/o. Ambikapathi

4. Paramasivam

...Respondents

Writ Petition filed under Article 226 Constitution of India, to issue a Writ of Mandamus, to direct the first and second respondents to provide adequate police protection to the petitioner to rise barbed wire fence around the Veeranar and Karuppusamy Temple bearing Survey No.280/3 for an extent of 2.34 Hectares situated at Sannasinallur Village, Senthurai Taluk, Ariyalur District and during the Surveyor concerned to carry out survey the land, by considering the representation of the petitioner dated 05.05.2021 on the file of the first respondent herein.

For Petitioner : Mr.M.Velmurugan

For Respondents : Mr.A.Damodaran,
Government Advocate (Crl.side)

ORDER

This Writ Petition is filed for seeking a police protection to rise barbed wire fence around the Veeranar and Karuppusamy Temple bearing Survey No.280/3 for an extent of 2.34 Hectares



situated at Sannasinallur Village, Senthurai Taluk, Ariyalur District, for which, the petitioner sent a representation dated 05.05.2021 before the first respondent herein.

2.From the representation dated 05.05.2021, it is seen that on the petitioner's side filed a suit in O.S.No.133 of 1997, and the same was allowed on 24.12.1999, in favour of the petitioner side, thereafter, aggrieved the said order, on the respondent side filed an A.S.No.20 of 2020 and the same was dismissed on 03.07.2012. Once again the judgment was concluded in favour of the petitioner's side. By relying the same, the petitioner seeks for fencing of area around the Temple in S.No.280/3, wherein the rival claimants constructed the buildings of Temple, which is against the Civil Court findings.

3.From the perusal of the Civil Court findings, it is seen that they got only permanent injunction in the suit with regard to the direction that not to disturb worship and conducting poojas on Temple and there is no reference with regard to the other aspects, which now the petitioner raising in this petition.

4.The learned Government Advocate (Crl.side) appearing for the first and second respondent submitted that the dispute is purely civil in nature and the claimant and the rival claimants, made claim over the Temple, is based on the classification of the lands and what extent the Temple lands classified are based on the revenue records and it would be appropriate for the petitioner to approach the revenue authorities, and there is no likelihood of any breach of peace.

5.In view of the same, this Court directs the petitioner and the rival group to approach the second respondent herein, who in turn is directed to conduct an enquiry and to give proper advise to the petitioner and to the third and fourth respondents.

6.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

klr



To

1. The Superintendent of Police,
Ariyalur District,
Ariyalur.

2. The Inspector of Police
Thalavoi Police Station,
Ariyalur District.

3. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.Velmurugan,Advocate Sr.No.30066

W.P. No.13368 of 2021

RLD[co]
NSK 29/07/2021