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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.22476 of 2021

Mahalingam

... Petitioner

Versus

1.The District Collector,
Ariyalur District,
Ariyalur.

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

3.The Tahsildar,
Sendurai Taluk,
Ariyalur District.

4.The Inspector of Police,
Thalavai Police Station,
Ariyalur District.

5.Rajendran
6.Chinnasamy
7.Ilavarasan
8.Kalaimani

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing respondent Nos.1 to 4 to consider the representation dated 11.09.2021, made by the petitioner to provide police protection for construction of the Karuppusamy Temple at Sannasinallur Village, Ariyalur District and decide the same in accordance with law, within a reasonable time, as may be fixed by this Court.



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For Petitioner : Mr.P.Pugalenthir

For R1 to R4 : Mr.R.Vinoth Raja
Government Advocate (Cr1. Side)

O R D E R

This Writ Petition is filed to direct respondent Nos.1 to 4 to consider the representation dated 11.09.2021, made by the petitioner to provide police protection for construction of the Karuppusamy Temple at Sannasinallur Village, Ariyalur District and decide the same in accordance with law, within a reasonable time, as may be fixed by this Court.

2.The learned counsel appearing for the petitioner submits that the respondent Nos.5 to 8 are belonging to some depress community. The petitioner's group are constructing a Karuppusamy Temple at Sannasinallur and the respondent Nos.5 to 8 had already constructed Veeranar temple by demolishing the Karuppusamy temple and they instructed that only 60 families should come and worship in that temple, other 100 families prohibited to enter the temple. Therefore, they have unable to worship in the temple. Hence, 100 families are separately constructing a new Karuppusamy Temple in the said land. The construction work is almost completed and painting work is pending. Now the respondent Nos.5 to 8 had given threat that they should not construct the Karuppusamy Temple, which was built by them in the said land. Therefore, the petitioner had sent a representation to the respondent Nos.1 to 4 dated 11.09.2021, to provide police protection to do the final finishing work of the construction of Karuppusamy Temple. So far, no action has been taken. Hence filed this present Writ Petition.

3.The learned Government Advocate appearing for the respondent Nos.1 to 4 submits that both the groups have maintained their identity. The petitioner's worshiped Karuppusamy and the respondent Nos.5 to 8 worshiped Veeranar. Now the petitioner's temple is at the finishing stage of construction and shortly congregation to be held. The respondent Nos.5 to 8 and the petitioners have some personal motive and hence, some disturbances have been made. The respondent police have advised both the parties not to disturb



the peaceful possession of each other and worship. Peace is prevailing, as on date, there is no law and order problem.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (CrI.Side) appearing on behalf of the respondent Nos.1 to 4.

5. Considering the rival submissions and on perusal of the materials, this Court directs the respondent police to consider the petitioner's representation dated 11.09.2021 and to provide protection to do the final finishing work of the construction of Karuppusamy Temple. This Court also directs both the groups to worship their respective idol, without causing disturbance to each other.

6. With the above direction, this Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-VI)

// True Copy //

Sub Assistant Registrar

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To

1. The District Collector,
Ariyalur District, Ariyalur.
2. The Superintendent of Police,
Ariyalur District, Ariyalur.
3. The Tahsildar,
Sendurai Taluk, Ariyalur District.
4. The Inspector of Police,
Thalavai Police Station,
Ariyalur District.
5. The Public Prosecutor,
High Court, Madras.

W.P.No.22476 of 2021

RGN(CO)

B.VC (02/11/2021)