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WP.No.32073 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2022

CORAM:

THE HON'BLE Ms.JUSTICE R.N.MANJULA

WP.No.32073 of 2022

A/M.EllariMariamman Thirukovil
rep by its Hereditary Trustee,
M.Eswaran.

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Petitioner

Versus

- 1.The Superintendent of Police,
Erode District,
Erode 638 011.
- 2.The Deputy Superintendent of Police,
Gobichettipalayam Circle,
Gobichettipalayam,
Erode District.
- 3.The Inspector of Police,
Kadathur Police Station,
Gobichettipalayam Taluk,
Erode District.
- 4.S.Muthusamy
- 5.P.Karthik
- 6.N.Palanisamy
- 7.S.Karuppusamy



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8.S.Dhandapani

9.Pattali @ Mohan

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Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 to give necessary police protection for smooth administration and performance of poojas by the petitioner as the hereditary trustee cum poojari in line with the judgment and decree dated 21.09.2016 made in OS.No.1 of 2008 on the file of the learned District Munsif court, Gobichettipalayam by considering petitioner's petition dated 07.11.2022 and by following the judgment in Radhika Srihari case (2014 (2) CTC 695).

For Petitioner	:	Mr.M.Adhishree
For Respondents 1 to 3	:	Mr.S.Santhosh
		Government Advocate (Crl.side)

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus to direct the respondents 1 to 3 to give necessary police protection for smooth administration and performance of poojas by the petitioner as the Hereditary Trustee cum Poojari in line with the judgment and decree dated 21.09.2016 made in OS.No.1 of 2008 on the file of the learned District Munsif Court,



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Gobichettipalayam, by considering the petitioner's petition dated 07.11.2022 and by following the judgment in *Radhika Srihari case* (2014 (2) CTC 695).

2. The learned counsel for the petitioner submitted that the petitioner is the Hereditary Trustee of one EllariMariamman Thirukovil, Gobichettipalayam Taluk, Erode District; the petitioner has given representation to respondents 1 to 3 seeking police protection for the Temple function to be conducted on 27.12.2022; so far no action has been taken.

3. The learned Government Advocate (Crl.side) appearing for the respondents 1 to 3 submitted that there are two opposite parties through whom they have claimed the right to conduct the festival in the temple. In this regard certain orders have been passed by the Courts and hence respondents 1 to 3 have to peruse all the materials before giving police protection.

4. The learned counsel for the petitioner submitted that during last year function also, such protection was given by the respondent police based on the judgment and decree dated 21.09.2016 made in OS.No.1 of 2008 by the



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learned District Munsif Court, Gobichettipalayam.

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5. In view of the same, I feel it is appropriate to direct the respondents 1 to 3 to consider the representation of the petitioner and do the needful, in accordance with law, within a period of two weeks.

Accordingly, this Writ Petition is **allowed**. The respondents 1 to 3 are directed to consider the petitioner's representation dated 07.11.2022 within a period of two weeks from the date of receipt of copy of this order. No costs.

01.12.2022

Index: Yes/No
Internet: Yes/No
Speaking/ Non-speaking

jrs



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To

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Gobichettipalayam,
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- 3.The Inspector of Police,
Kadathur Police Station,
Gobichettipalayam Taluk,
Erode District
- 4.The Public Prosecutor,
High Court, Madras.



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R.N.MANJULA,J.

jrs

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