



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2022

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD).No.4889 of 2020

WEB COPY

RM Chellappan Chettiar

... Petitioner

Vs.

1.The Revenue Divisional Officer Cum Executive Magistrate,
Pudukottai.

2.The Assistant Commissioner,
HR & CE Department,
Pudukottai.

3.The Deputy Superintendent of Police,
Ponnamaravathi.

4.The Tahsildar,
Tirumayam Taluk,
Pudukottai District.

5.The Sub Inspector of Police,
K.Puduppatti Police Station,
Pudukottai District.

6.Solai Rajan

7.The President,
Karamangalam Village Panchayat,
Tirumayam Taluk,
Pudukottai District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, restraining the official respondents from permitting the sixth respondent to conduct any festival in the Anjaneya Temple located in 162/6A of Kalanivasal Village, Karamangalam Firka, Thirumayam Taluk, Pudukkottai District.

For Petitioner : Mr.RM.Arun Swaminathan

For R1 to R5 : Mr.P.Subbaraj
Special Government Pleader

For R6 : Mr.D.Malaichamy

For R7 : Mr.I.Pinay Gash



ORDER

It appears that there is a private dispute between the petitioner and the 6th respondent. However, the present writ petition has been filed by the petitioner for a Mandamus to restrain the official respondents from permitting the 6th respondent to conduct any festival in Anjaneya Temple situated in 162/6A of Kalanivasal Village, Karamangalam Firka, Thirumayam Taluk, Pudukkottai District. Such a writ petition cannot be entertained.

2.The case of the petitioner is that the 6th respondent is encroaching the temple land, whereas it is the specific case of the 6th respondent that it is a private land of the 6th respondent and therefore, there is no merit in the present writ petition. As mentioned above, there is a private dispute between the petitioner and the 6th respondent. Such disputes can be resolved only in a civil Court by establishing the title over the property.

3.Considering the above, I am inclined to dismiss this writ petition by giving liberty to the petitioner to workout the remedy before the civil Court as expeditiously as possible.

4.The writ petition stands dismissed, in terms of the above observation. No costs.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mm

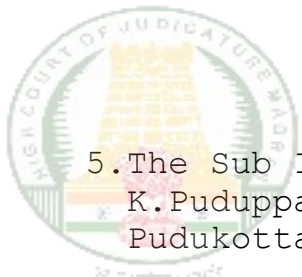
To

1.The Revenue Divisional Officer Cum Executive Magistrate,
Pudukottai.

2.The Assistant Commissioner,
HR & CE Department,
Pudukottai.

3.The Deputy Superintendent of Police,
Ponnamaravathi.

4.The Tahsildar,
Tirumayam Taluk,
Pudukottai District.



5.The Sub Inspector of Police,
K.Puduppatti Police Station,
Pudukottai District.

+1 CC to M/s.D. MALAICHAMY, Advocate (SR-22625[F] dated
29/04/2022)

+1 CC to M/s.SPL.GP (SR-23231[F] dated 02/05/2022)

W.P (MD) .No.4889 of 2020
28.04.2022

MGJ(26.05.2022) 3P 8C