



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2022

CORAM :

WEB COPY

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

W.P. (MD) No.11626 of 2019

and

W.M.P (MD) No.8860 of 2019

N.Ramasamy

... Petitioner

Vs.

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

2. The Sub Inspector of Police,
Kujiliamparai Police Station,
Kujiliamparai,
Dindigul District.

3. Palanivel

4. Selvaraj

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the first and second respondents from permitting the third and fourth respondents to decoration the "Akkini Satti" on the petitioner's lands in Survey No.920/27 and further directing the respondents not to interfere with his peaceful possession and enjoyment of the property in any way in Survey No.920/27 situated at R.Vellodu Village, Vendasandur Taluk, Dindigul District based on the petitioner's representation dated 22.04.2019.

For Petitioner : Mr.G.Gomathi Sankar

For R1 & R2 : Mr.B.Nambi Selvan

Additional Public Prosecutor

For R3 & R4 : Mr.V.S.Kishok Kumar

ORDER

This petition is filed seeking a Writ of Mandamus, forbearing the first and second respondents from permitting the third and fourth respondents to decoration the "Akkini Satti" on the petitioner's lands in Survey No.920/27 and further directing the respondents not to interfere with his peaceful possession and enjoyment of the property in any way in his lands in Survey No.920/27 situated at R.Vellodu Village, Vendasandur Taluk, Dindigul District based on the petitioner's representation dated 22.04.2019.



2. The grievance of the petitioner is that the village peoples are celebrating temple festival every year during the month of Chithirai. During the said festival period, people will be taking "Akkini Satti" and it was decorated by the Poosari of the said temple in Survey No.917/48 and this festival was conducted by the petitioner and the village peoples for more than 30 years without any dispute. The last occasion, the temple festival was conducted by the village peoples and they were going to decoration the "Akkini Satti" on the petitioner's land in Survey No.920/27. Hence, the petitioner made a representation to the respondents 1 and 2 dated 22.04.2019, since no action was taken on the complaint, the present writ petition has been filed.

3. The learned counsel for the respondents 3 and 4 would submit that the petitioner has no right over the property in Survey No. 920/27. It is not a patta land and it is a Purampoke land. So the petitioner has to approach the appropriate civil proceedings.

4. Per contra, the learned counsel for the petitioner would submit that as per the patta dated 16.07.1990, one Lakshmi, who is the second wife of the petitioner is the owner of the property. According to him, the private respondents have no rights over the property.

5. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that, on the basis of the representation made by the petitioner, enquiry was conducted in CSR No.33 of 2019. During the course of enquiry, it was found that both parties have agreed to resolve their dispute through Court. Based upon the above said undertaking given by both the parties, the complaint was closed.

6. Since it is a Civil dispute, the parties are directed to workout their remedy through appropriate civil proceedings, as directed by the second respondent.

7. With the above directions, this Writ Petition is disposed of. No costs. Consequently the connected Writ Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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WEB COPY

To

1. The Superintendent of Police,
Dindigul District, Dindigul.
2. The Sub Inspector of Police,
Kujiliamparai Police Station,
Kujiliamparai,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.G.GOMATHISANKAR, Advocate (SR-8018[F] dated 23/02/2022)
W.P.(MD)No.11626 of 2019
and
W.M.P(MD) No.8860 of 2019
21.02.2022

SB(CO)

GC(22.03.2022) 3P 5C