



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2022

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD).No.12385 of 2022

Dhanabharath

...Petitioner

Vs.

1.The Superintendent of Police,
Ramnad District.

2.The Inspector of Police,
Uchupuli Police Station,
Ramanathapuram District.

3.The Sub Inspector,
Uchupuli Police Station,
Ramanathapuram District.

4.Ashok Sakaravarthi,
Sub Inspector of Police,
Uchupuli Police Station,
Ramanathapuram District.

5.Naguchamy
6.Nagamanickam

...Respondents

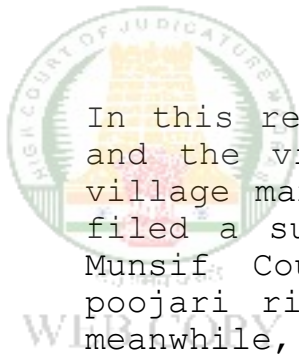
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd and 3rd respondents not to interfere into the civil dispute which is pending in O.S.No.17 of 2019 before the District Munsif Cum Judicial Magistrate Court, Rameshwaram, Ramanathapuram District.

For Petitioner : Mr.J.M. Hassauel Bazari
For R1 to R3 : Mr.M. Sakthi Kumar
Government Advocate (Crl. Side)
For respondents 5 & 6 : Mr. N. Jeyatram Sidharth

ORDER

This Writ Petition has been filed for issuing a direction to the respondents 2 and 3 not to interfere into the civil dispute which is pending in O.S.No.17 of 2019, before the District Munsif-Cum-Judicial Magistrate Court, Rameshwaram, Ramanathapuram District.

2. The learned counsel appearing for the petitioner submitted that the respondents 5 and 6 viz., Naguchamy and Nagamanickam claiming right of conducting Poojas at Arulmigu Naganathan Swamy Temple, situated at Chinnu Udaiyar Valasai Village.



In this regard, there is a dispute between the respondents 5 and 6 and the village peoples and the petitioner herein is one of the village man. In this regard, the respondents 5 and 6 herein have filed a suit in O.S.No.17 of 2019, on the file of the District Munsif Court, Rameswaram and prayed for declaration of their poojari rights over the temple and the same is pending. In the meanwhile, they gave a complaint against the petitioner and others before the respondents 2 and 3. Therefore, the petitioner has filed the present writ petition seeking not to interfere with the civil dispute pending before the District Court.

3. The counsel for the respondents 5 and 6 would submit that the civil suit is pending for the poojari rights, where the complaint given by the respondents 5 and 6 that they are allowing them to conducting poojas.

4. The learned Government Advocate (Crl. Side) appearing for the respondents police would submit that the petition is under enquiry and both the parties appeared for enquiry.

5. On perusal of the records, it reveals the fact that there is a dispute between the petitioner and the respondents 5 and 6 and also with the village people of Chinnu Vdaiyappar Valasai Village, Kadukka Valasai Post, Ramanathapuram District with regard to conduct the poojas at Arulmigu Naganathan Swamy Temple. Both the respondents 5 and 6 claiming right over the temple for conducting poojas, which is disputed by the village people. Therefore, the respondents 5 and 6 have filed the said suit and the same is pending in O.S.No.17 of 2019, on the file of the District Munsif Court, Rameswaram.

6. Therefore, in this regard, the respondents police need not be interfered with regard to the complaint of the respondents 5 and 6. If any offence is made out by the village people, the police may conduct and enquiry and take action and not to interfere with the conducting poojas in the temple as the matter is pending before the Civil Court.

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

Sd/-

Assistant Registrar(CO)

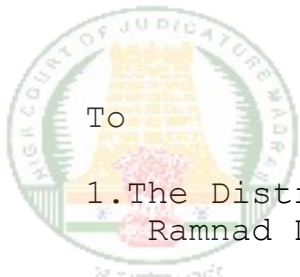
// True Copy //

/ /2022

Sub Assistant Registrar(CS)

trp

<https://hcservices.ecourts.gov.in/hcservices/>



To

- 1.The District Munsid cum Judicial Magistrate, Rameshwaram,
Ramnad District.
- 2.The Superintendent of Police,
Ramnad District.
- 3.The Inspector of Police,
Uchupuli Police Station,
Ramanathapuram District.
- 4.The Sub Inspector,
Uchupuli Police Station,
Ramanathapuram District.
5. The Additional Public prosecutor,
Madurai Bench of Madras High Court, Madurai

W.P (MD) .No.12385 of 2022
21.06.2022

NSN (CO)
KB(30.06.2022) 3P 6C