



W.P(MD)No.15475 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)No.15475 of 2022

and

W.M.P(MD) No.11117 of 2022

S.A.Jeyachandran

...Petitioner

Vs.

1. The Inspector General of Police,
South Zone,
Madurai District.
2. The Superintendent of Police,
Madurai District.
3. The Deputy Superintendent of Police,
Umatchikulam,
Madurai.
4. The Inspector of Police,
Silaiman Police Station,
Madurai District.
5. Sethuraman
6. Logu @ Muthuramalingam

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents No.1 to 4 herein to take immediate action against the



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respondents No.5 and 6 based on the petitioner's representation, dated 05.07.2022 within a time frame as fixed by this Court.

For Petitioner	: Mr.S.Alagusundar
For R1 to R4	: Mr.M.Sakthi Kumar Government Advocate (Crl.Side)
For R5 and R6	: Mr.P.Saravanakumar

ORDER

This Writ Petition is filed seeking for issuance of a Writ of Mandamus, directing the respondents No.1 to 4 herein to take immediate action against the respondents No.5 and 6 based on the petitioner's representation, dated 05.07.2022 within a time frame as fixed by this Court.

2. The learned counsel for the petitioner submitted that Sri Brammahathi Theertha Iyer, Sri Karuppanasamy and Sri Thathan Samy Temples are situated at our village, nearby the petitioner's home, which belongs to certain group of people (Pangaligal) belonging to our community. The respondents 5 and 6 are creating problems with regard to the administration of the temple and are trying to take the properties of the temple and receive income out of the said properties. The temples'



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account details were not submitted by them and they have misappropriated a huge amount. Hence, the petitioner filed a suit in O.S.No.13 of 2016, before the District Munsif, Madurai and the same is pending. Meanwhile, the respondents 5 and 6 are misusing the funds and hence the petitioner gave a complaint on 05.07.2022, to the respondent police to take action against the respondents 5 and 6. The respondent police have not taken any action and therefore, the present Writ Petition has been filed.

3. The learned Government Advocate (Criminal Side) appearing for the respondents 1 to 4 submitted that after receiving the complaint of the petitioner in C.S.R.No.351 of 2022 on 09.07.2022, the respondent 5 & 6 also gave complaints in C.S.R.Nos.364 of 2022 and 365 of 2022, dated 17.07.2022 and 13.07.2022 respectively, against this petitioner. Since both parties claim right over the property and there is a dispute between 1000 persons of the same community with regard to the temples on its properties, the Inspector of Police requested the Revenue Divisional Officer (RDO) to conduct the enquiry and the same is pending.



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4. The learned counsel for the petitioner submitted that the petitioner is ready to participate and co-operate for the enquiry.

5. The learned counsel appearing for the respondents 5 and 6 submitted that they gave an application against this petitioner alleging that the petitioner has encroached the temple property and the said complaint was also received by the respondent police and assigned C.S.R.No.365 of 2022 on 13.07.2022.

6. Recording the same, the Revenue Divisional Officer is directed to conduct enquiry, within a period of two weeks from the date of receipt of a copy of this order and resolve the dispute between the parties.

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

18.07.2022

Index :Yes/No
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To

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3. The Deputy Superintendent of Police,
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Madurai.
4. The Inspector of Police,
Silaiman Police Station,
Madurai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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