



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2022

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P (MD) No.16327 of 2019

T.Sivanraj

... Petitioner

Vs .

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

2.Mr.Gajendran,
Inspector of Police,
Thatarmadam Police Station,
Thatarmadam,
Thoothukudi District.

3.Mr.Sureshkumar,
Sub-Inspector of Police,
Thatarmadam Police Station,
Thatarmadam,
Thoothukudi District.

... Respondents

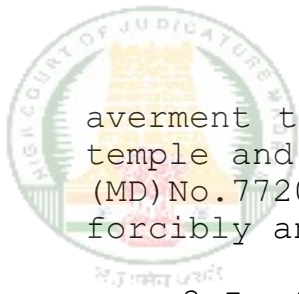
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to take appropriate action as against the respondents 2 and 3 in the act of misusing the official power by considering the petitioner's representation dated 09.06.2019 and pass such further or other orders.

For Petitioner	: Mr.J.David Ganesan, Advocate
For Respondents 1 and 2	: Mr.S.Ravi Additional Public Prosecutor.

ORDER

The petitioner herein alleged that despite the order passed by this Court in W.P(MD)No.7720 of 2019, dated 05.04.2019, the second respondent has not permitted him to conduct the temple festival scheduled to be held between 11.04.2019 and 13.04.2019.

2.The learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that the order passed by this Court permitting the petitioner herein to conduct the temple festival on the particular date, in the capacity of dharmakartha, was found to be a false claim, from the complaint given by one Sivasakthi Ammal, W/o.Sundarapandi Nadar. Based on her complaint, a case was registered against the petitioner herein on 14.04.2019, in crime No.62 of 2019, wherein the de facto complainant has made a specific



averment that the petitioner herein is not the dharmakarthha of the temple and without impleading her, an order has been obtained in W.P (MD)No.7720 of 2019 and subsequently, the petitioner and others had forcibly and illegally tried to trespass into the temple land.

3.In the light of the above facts brought out by the learned Additional Public Prosecutor appearing for the respondents 1 and 2, this Court finds no merit in this writ petition and hence, this writ petition is dismissed. No costs.

Sd/-

Deputy Registrar (A/CS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

smn

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Superintendent of Police,
Thoothukudi District, Thoothukudi.
- 2.The Inspector of Police,
Thatarmadam Police Station,
Thatarmadam,
Thoothukudi District.
- 3.The Sub-Inspector of Police,
Thatarmadam Police Station,
Thatarmadam,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN
W.P (MD) No.16327 of 2019
03.02.2022

RS (17.02.2022) 2P-5C

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