



W.P(MD)No.25131 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2022

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P(MD)No.25131 of 2022

Bharatha Rajan Chettiyar

...Petitioner

Vs.

**1.The Superintendent of Police,
Office of the Superintendant of Police,
Dindigul.**

**2.The Inspector of Police,
Ambilikai Police Station,
Ambilikai District.**

...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 herein to grant the Police protection to the Petitioner to conduct Pournima Puja on 07.11.2022 in Sri Veeramatti Amman Kovil, Ambilikai, Ottanchatharam, Dindigul District.

For Petitioner : Ms. Al.Ganthimathi

**For Respondents : Mr. R.Meenakshi Sundaram
Additional Public Prosecutor**



W.P(MD)No.25131 of 2022

ORDER

WEB COPY

The Petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the Respondents herein to grant the Police protection to the Petitioner to conduct Pournima Puja on 07.11.2022 in Sri Veeramatti Amman Kovil, Ambilikai, Ottanchatharam, Dindigul District.

2. When the case came up for hearing, the learned Counsel for the Petitioner was about to argue the case, at that time, the learned Counsel Mr.Lakshmi Shankar, Enrolment No.973/2002, Mobile Number 9894604577, submitted that he needs to file Miscellaneous Petition seeking to implead the other party representing the rival of the Petitioner herein.

3. It is the submission of the Petitioner herein that he had already filed a suit for declaration, which is pending before the learned District Munsif, Ottanchatharam, Dindigul District, in which the intervener is the defendant. He also submitted that he had entered appearance for the suit and filed written statement contesting the claim of the Petitioner herein who had filed this Writ Petition, who is also the Plaintiff in the suit



W.P(MD)No.25131 of 2022

pending before the learned District Munsif, Ottanchatharam.

WEB COPY

4. The learned Additional Public Prosecutor by way of reply submitted that there are several rival claims. Therefore, based on the report of the second Respondent dated 29.10.2022, the Tahsildar, Ottanchatharam, had convened the meeting.

5. The learned Counsel for the Petitioner submitted that the Petitioner sought direction against the Respondents 1 and 2, seeking Police Protection for the Temple festival to be celebrated on 07.11.2022 in Sri Veeramatti Amman Kovil, Ambilikai, Ottanchatharam, Dindigul District.

6. It is the further contention of the learned Counsel for the Petitioner that the temple belongs to Thillaiavar Kulam, 24 Manai, Telungu Chettiyar community who had spread across the country and on the occasion of the temple festival of Sri Veeramatti Amman Kovil, Ambilikai, Ottanchatharam, Dindigul District, members belonging to the community throughout India, would assemble in temple for Pournima Pooja on 07.11.2022 from 6.00 p.m. To 11.00 p.m.



W.P(MD)No.25131 of 2022

WEB COPY

7. The learned Counsel for the intervenor submitted that the subject matter is also ceased by the Civil Court. This Court having a discretionary power under Article 226 of Constitution of India, the matter has to be considered by the Civil Court by letting evidence.

8. Considering that the Civil Suit is pending before the learned District Munsif, Ottanchatharam, Dindigul District, the Petitioner is directed to approach the Civil Court to obtain appropriate orders.

9. With the above direction, this Writ Petition is closed.

04.11.2022

Index : Yes/No
Internet : Yes/No
indu



W.P(MD)No.25131 of 2022

To

- 1.The Superintendent of Police,
Office of the Superintendant of Police,
Dindigul.
- 2.The Inspector of Police,
Ambilikai Police Station,
Ambilikai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P(MD)No.25131 of 2022

SATHI KUMAR SUKUMARA KURUP, J.

indu

W.P(MD)No.25131 of 2022

04.11.2022