



Writ Petition No.24491 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.24491 of 2023

Nataraj,
S/o.Egambaram

...Petitioner

Vs

- 1.The District Collector,
Dharmapuri District,
Dharmapuri.
- 2.The Revenue Divisional Officer cum
Sub Divisional Administrative Magistrate,
Dharmapuri.
- 3.The Tahsildar,
Pennagaram Taluk,
Dharmapuri District.
- 4.The Inspector of Police,
Papparapatti Police Station,
Dharmapuri District.
- 5.Chinnaraji,
S/o.Shanmugam



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6.Kamaraj,
S/o.Kuppan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 4th respondent to provide police protection for laying the foundation stone and for reconstruction of Arulmighu Sri Gopalswamy Temple, Malayur Village, Pikkili Panchayat Union, Pennagaram Taluk, Dharmapuri District, based on the representation of the petitioner dated 11.08.2023.

For Petitioner : Mr.C.Prabakaran

For Respondent R1 to R4 : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

This Criminal Original petition has been filed for a direction to the 4th respondent to provide police protection for laying the foundation stone for reconstruction of Arulmighu Sri Gopalswamy Temple, Malayur Village, Pikkili Panchayat Union, Pennagaram Taluk at Dharmapuri District, based on the representation dated 11.08.2023.

2. Heard Mr.C.Prabakaran, learned counsel for the petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor for respondents 1 to 4.



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3. The same petitioner approached this Court earlier by filing WP No.19934 of 2023 seeking for police protection for conducting the temple festival. Since there was a dispute between two parties, this Court directed the Joint Commissioner of HR&CE to appoint an officer in the rank of Assistant Commissioner to conduct the temple festival. Accordingly, the temple festival was conducted by the HR&CE authority and the police also gave protection.

4. It is brought to the notice of this Court that the dispute between the parties continues till date. At this juncture, the petitioner has once again approached this Court for a direction to the police to give police protection for laying the foundation stone for the temple. When there is a dispute between two parties in laying a foundation stone for a temple, the police will not interfere with such a dispute. The police cannot take sides in a case of this nature and hence, this Court cannot direct any police protection for the laying of foundation stone. If in case any law and order problem is created on this account,



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the police will take immediate action in accordance with law and if required, the entire event can be stopped to ensure peace and safety in the area.

5. This Criminal Original petition is disposed of accordingly.

18.08.2023

Index : Yes/No

Speaking order:Yes/No

Neutral citation:Yes/No

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Issue order copy on 24.08.2023

To

1.The District Collector,
Dharmapuri District,
Dharmapuri.

2.The Revenue Divisional Officer cum
Sub Divisional Administrative Magistrate,
Dharmapuri.

3.The Tahsildar,
Pennagaram Taluk,
Dharmapuri District.

4.The Inspector of Police,
Papparapatti Police Station,
Dharmapuri District.

5.The Public Prosecutor,



High Court, Madras.

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N.ANAND VENKATESH, J

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