



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.12.2023

CORAM :

THE HONOURABLE Dr. JUSTICE **G.JAYACHANDRAN**

W.P. No.34638 of 2023

Sundara Vadivel

... Petitioner

-VS-

The Superintendent of Police,
Kanchipuram District,
Collector Office Compound,
Kanchipuram.

...Respondent

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India, to issue Writ of Mandamus to direct the respondent to give police protection on 23.12.2023 for smooth conducting of “Garuda Sevai” at Venkatesa Perumal temple situated at Nadu Street, Ayyampettai Village, Walajabad, Kanchipuram District.

For Petitioner : Mr.V.V.Sairam

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

For Intervenor : M/s.S.Thamizharasi

ORDER

The dispute between two groups claiming exclusive right to conduct the “Garuda Sevai” proposed to be held on 23.12.2023 at Venkatesa Perumal temple situated at Nadu Street, Ayyampettai Village, Walajabad, Kanchipuram District.



2. The learned counsel appearing for the petitioner states that there is a civil suit pending between the parties regarding the right of conducting the festivals of the temple. Since there was disturbance to the peace while conducting Krishna Jayanthi festival a few months back as a precaution, the present petition is filed for seeking police protection to conduct the “Garuda Sevai” festival. The private respondent, who representing the other group through their counsel want to intervene in this petition and certain facts been placed before this Court by the counsel.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police states that there is a perennial dispute between the two groups one lead by the petitioner, Sundara Vadivel and another lead by one Gopal, already suits been filed and pending. Few months back, Krishna Jayanthi festival was conducted, there was dispute between two groups and the police advised them to conduct ceremony peacefully and accordingly the Krishna Jayanthi festival went on peacefully.

4. This Court firmly believes that there is a limited scope for the State in religious affairs and Court or police can interfere if there is any



disturbance to public peace and tranquillity. It is a person who is managing the affairs of the temple should conduct properly and carry on their faith without causing disturbance to others. If any of them tries to disturb the public peace, it is open to the petitioner herein to secure them and deal them in accordance with law.

5. With this observation, this Writ Petition seeking police protection is disposed of. No costs.

13.12.2023

Note: Issue order copy on 14.12.2023

Internet : Yes/No

Index : Yes/No

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To

1.The Superintendent of Police,
Kanchipuram District,
Collector Office Compound,
Kanchipuram.

2.The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN, J.

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