



W.P.(MD)No.4510 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2023

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

W.P.(MD)No.4510 of 2021

Adhiappan

... Petitioner

Vs.

- 1.The Superintend of Police,
Office of the Superintendent of Police,
Pudukkottai District.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Pudukkottai District.
- 3.The Tahsildar,
Taluk Office,
Thirumayam Taluk,
Pudukkottai District.
- 4.The Inspector of Police,
Arimalam Police Station,
Pudukkottai District.
- 5.Rasu
- 6.Saravanan
- 7.Perumal
- 8.Arjunan

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9.Krishnan

... Respondents

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(R5 to R9 impleaded as per order dated 19.07.2023 made in WMP.
(MD)No.4980 of 2021 in W.P.(MD)No.4510 of 2021)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to unlock the temple house of Arulmigu Sri Neermenda Ayyanar Temple situated in S.F.No.97/1 of Thanjur Village, Samuthiram Village Panchayat, Thirumayam Taluk, Pudukkottai District and to take appropriate action to perform Thai Pongal Festival on any day as fixed by this Court and to provide adequate protection to worship the Kulatheivam Arulmigu Sri Neermenda Ayyanar by considering the petitioner representation dated 15.01.2021.

For Petitioner : Mr.R.Paranjothi

For R1 to R4 : Mr.R.M.Anbunithi,
Additional Public Prosecutor

For R5 to R9 : Mr.J.Anand Kumar

ORDER

This Writ Petition has been filed to the respondents to unlock the temple house of Arulmigu Sri Neermenda Ayyanar Temple situated in S.F.No.97/1 of Thanjur Village, Samuthiram Village Panchayat,



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Thirumayam Taluk, Pudukkottai District and to take appropriate action to perform Thai Pongal Festival on any day as fixed by this Court and to provide adequate protection to worship the Kulatheivam Arulmigu Sri Neermanda Ayyanar by considering the petitioner representation dated 15.01.2021.

2.The learned counsel appearing for the petitioner would contend that the prayer of the petitioner is that to give protection to celebrate pongal in the month of January and to get back the key of the temple and to worship without any hindrance. The private respondents are herein obstructing the petitioner from celebrating pongal, for which, the petitioner filed complaint dated 15.01.2021. The said representation was not considered by the official respondents. Hence, the petitioner filed the present writ petition.

3.The learned Additional Public Prosecutor appearing for the official respondents would contend that the representation of the petitioner already considered and the same was closed.



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4. On perusal of records revealed that the prayer of the petitioner is that to give police protection for conducting festival and for worship. On perusal of the complaint it revealed that the private respondents herein are obstructing the respondents and thereby, claiming some right over the property. Hence, this Court cannot decide the claim of the petitioner and the petitioner has to approach the concerned civil Court for establishing his right. However, the petitioner is at liberty to approach the official respondents with regard to criminal activities. If any application filed by the petitioner, the official respondents have to give opportunity to both parties and then, decide the matter in accordance with law.

5. With the above observations, this writ petition is closed. No costs.

19.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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- 4.The Inspector of Police,
Arimalam Police Station,
Pudukkottai District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P. DHANABAL,J.

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