



1

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 17/04/2023

CORAM:

THE HON'BLE MR JUSTICE G.ILANGOVAN

WP(MD)No.7063 of 2022

V.Ganeshan Asari : Petitioner

Vs.

1.The Superintendent of Police,
(Rural)
Madurai District,
Madurai.

2.The Deputy Superintendent of Police,
Thirumangalam,
Madurai District.

3.The Sub Inspector of Police,
Kallikudi Police Station,
Kallikudi,
Madurai.

4.P.Ayyadurai (alias) Vaiyadurai : Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to give police protection to the petitioner for construction of temple Arulmigu Poovayee Amman in R.SY.No.222/28 in Kurauyoor Village, Thirumangalam Taluk, Madurai District and pass such other order or direction.



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2

For Petitioner : Mr.M.Raguman Khan
For R1 to R3 : Mr.B.Nambiselvan
Additional Public Prosecutor
For 4th Respondent : Mrs.P.Vimala Devi
(No Appearance)

O R D E R

Seeking police protection for the construction of temple, this writ petition has been filed.

2.The learned counsel appearing for the petitioner would submit that the private respondent namely the 4th respondent is no way connected over the above said temple; The temple was constructed in the property by way of purchase in the year 1950; After purchase, three branches of purchasers, constructed the above said temple and worshiping the idol; After the death of the petitioner's father, he became the poojari of the above said temple; A trouble has arisen because of the issue between the 4th respondent and the petitioner, who belongs to one of the three branches; The 4th respondent has filed a suit in O.S No.120 of 2021 on the file of the Additional District Munsif Court, Thirumangalam, for



various reliefs; In respect of one temple namely Athi Poorvika Arulmigh Sree Poovayee Amman Temple, according to the petitioner, it was constructed by the 4th respondent herein, which is situated in different survey number and it is not connected with the present temple; Now because of the above said issue, the 4th respondent is making trouble, while constructing the present temple; Over which, a representation was made.

3.For considering the writ petition, the 4th respondent was also served with notice. Even though he entered appearance through advocate, did not appear.

4.The learned Additional Public Prosecutor appearing for the respondents 1 to 3 would submit that the representation, that was made by the petitioner is kept pending.

5.Let the above said representation be decided on its own merits by summoning the petitioner and the 4th respondent herein, disposed of, within a period of one week from the date of the receipt of a copy of this order. Depending upon the out come of the enquiry, either



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5

G.ILANGOVAN, J

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