



Crl.O.P.(MD)No.10674 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.10674 of 2023

K.Nagappan

... Petitioner

Vs.

1.The Superintendent of Police,
Collectorate Campus,
Dindigul District, Dindigul.

2.The Inspector of Police,
Chinnalapatty Police Station,
Dindigul District.

3.Indirani

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the second respondent to provide adequate police protection to the petitioner and his Temple namely, Arulmigu Sri Virunagammal Thirukovil for its peaceful possession and enjoyment of the property bearing Survey No.181/1 of Kurumbapatty, A.Naddupatty, Ambathurai Village, Athoor Taluk, Dindigul District based on the judgment and decree granted in A.S.No.108 of 2011 on the file of Additional Sub Court, Dindigul, dated 13.12.2012.

For Petitioner : Mr.R.Thangapandian



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For Respondents : Mr.B.Nambi Selvan,
Additional Public Prosecutor
for R1 and R2

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the second respondent to provide adequate police protection to the petitioner and his Temple namely, Arulmigu Sri Virunagammal Thirukovil for its peaceful possession and enjoyment of the property bearing Survey No.181/1 of Kurumbapatty, A.Naddupatty, Ambathurai Village, Athoor Taluk, Dindigul District based on the judgment and decree granted in A.S.No.108 of 2011 on the file of Additional Sub Court, Dindigul, dated 13.12.2012.

2. The learned counsel for the petitioner would submit that the petitioner has filed a suit in O.S.No.614 of 2007, claiming permanent injunction in respect of the land situated nearby the temple; that the suit was dismissed; that the petitioner has preferred an appeal in A.S.No.108 of 2011 and the learned Additional Subordinate Judge, Dindigul, vide judgment, dated 13.12.2012 allowed the appeal and granted permanent



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injunction, specifically restraining the third respondent and others from interfering the the petitioner's Temple from conducting Annadanam, Drama and other programmes in the space situated nearby the Temple.

3. The learned counsel for the petitioner would further submit that the there is no second appeal and that the judgment of the appellate Court had already attained finality. He would also submit that the petitioner's Temple is going to celebrate Kumbabishekam in the month of August and they have sent a representation to the respondents 1 and 2 to give police protection.

4. The learned Additional Public Prosecutor would submit that the representation was received and the same is pending for enquiry. He would further submit that the second respondent Police has already given summons to the parties for appearance on 16.06.2023 i.e., today.

5. Considering the facts and circumstances of the case and also the submissions made by the learned counsel on either side, the second respondent is directed to consider the petitioner's representation taking note of the permanent injunction granted by the Appellate Court, hearing



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the petitioner's side and the rival claimants including the third respondent and pass orders within one week from the date of receipt of copy of this order.

6. With the above direction, this Criminal Original Petition stands disposed of.

16.06.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
das

Note: Issue order copy on **20.06.2023**.

To

- 1.The Superintendent of Police,
Collectorate Campus, Dindigul District, Dindigul.
- 2.The Inspector of Police,
Chinnalapatty Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

das

Order made in
Crl.O.P.(MD)No.10674 of 2023

Dated: 16.06.2023