



W.P.(MD).No.22603 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :06.10.2023

CORAM

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

W.P.(MD).No.22603 of 2021

and

W.M.P.(MD).No.424 of 2022

S.Adaikkan

... Petitioner

Vs.

- 1.The Superintendent 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 Deputy Superintendent of Police,
Office of the Superintendent of Police,
Ponamaravathay,
Pudukkottai District.
- 5.The Inspector of Police,
Arimalam Police Station,
Pudukkottai District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent Nos.1 to 5 to unlock the Temple House of Arulmigu Sri Neermada Ayyanar Temple situated in S.F.No.97/1 of Thanjur Village, Samuthiram Village Panchayat, Thirumayam Taluk, Pudukkottai District and hand over the temple key to the poojari and to provide adequate police protection to perform Thai Pongal Festival on any day as may be fixed by this Court and to worship the Kulatheivam Arulmigu Sri Neermada Ayyanar by considering the petitioner's representation dated 12.11.2021.

For Petitioner : Mr.R.Paranjothi

For Respondents : Mr.P.Kottaichamy
Government Advocate (Crl. Side)

ORDER

This writ petition has been filed to direct the respondents to unlock the temple house of Arulmigu Sri Neermada 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 may be fixed by this Court and to worship the Kulatheivam Arulmigu Sri Neermada Ayyanar by considering the petitioner's representation dated 12.11.2021.



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2.The issue in this writ petition between the parties has already decided by this Court in W.P.(MD).No.4510 of 2021. The relevant portion of the order is as follows:

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 given opportunity to both parties and then, decide the matter in accordance with law.

This Court recorded the said finding. As per the order of this Court, both parties are directed to approach the Civil Court and redress their grievance.



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3. Accordingly, this Writ Petition stands closed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

06.10.2023

NCC :Yes/No
Index :Yes/No
Internet :Yes/No
sbn



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K.K.RAMAKRISHNAN, J.

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