



W.P(MD)No.19982 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.19982 of 2024

M.A.Murugan

...Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Vijayanarayanam Police Station,
Tirunelveli.

3.M.Muthuraj

4.R.Kandasamy

... Respondents

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 provide adequate police protection for conducting temple festival to the Arulmigu Sri Thalavai Madasamy Temple which is scheduled on 29.08.2024 and 30.08.2024 by considering the petitioner's representation dated 08.08.2024.



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For Petitioner : Mr.M.P.Senthil
For R1 & R2 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor
For R3 : Mr.Dr.C.Guhaseela Ruban
For R4 : Mr.N.Pragalathan

ORDER

The Writ Petition has been filed, invoking Article 226 of the Constitution of India, seeking orders to direct the respondents to provide adequate police protection for conducting temple festival to the Arulmigu Sri Thalavai Madasamy Temple which is scheduled on 29.08.2024 and 30.08.2024 by considering the writ petitioner's representation dated 08.08.2024.

2. Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor takes notice for the respondents 1 and 2, Mr.Dr.C.Guhaseela Ruban, learned counsel takes notice for the third respondent and Mr.N.Pragalathan, learned counsel takes notice for the fourth respondent.

3. The learned counsel appearing for the writ petitioner would submit that though the temple in dispute is belonging to 150 families, the



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Trust, by name, Arulmigu Sri Thalavai Madasamy Temple has been managing the temple affairs and they have decided to conduct the temple festival on 29.08.2024 and 30.08.2024 but the third respondent, who is the staff of the HR&CE Department and the fourth respondent, who is the member of the Trust, have been interfering with the temple affairs, that therefore the writ petitioner has sent a representation to the respondents 1 and 2 seeking police protection on 08.08.2024 and that since no order has been passed till now, the writ petitioner was constrained to approach this Court.

4. The learned counsel appearing for the third respondent would submit that though the temple is a private temple, the writ petitioner has been attempting to occupy the land belonging to the HR&CE Department. However, in the present petition, this Court is not inclined to go into those aspects.

5. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that the temple is belonging to 150 families and that 30 families including the writ petitioner's family have



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decided to conduct the temple festival excluding the other 120 families.

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6. At this juncture, the learned counsel appearing for the writ petitioner would submit that they are ready to conduct the festival along with other families jointly and that the respondents 1 and 2 may be directed to consider the writ petitioner's representation.

7. Recording the submissions made on either side, the second respondent is directed to consider the writ petitioner's representation dated 08.08.2024 in case of their willingness to conduct the festival jointly (150 families) and pass orders within a period of three days from today (27.08.2024).

8. With the above direction, the Writ Petition stands disposed of.

No costs.

27.08.2024

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

csm

Note : Issue order copy today (27.08.2024)



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To
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- 1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 2.The Inspector of Police,
Vijayanarayanam Police Station,
Tirunelveli.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

csm

**Order made in
W.P.(MD)No.19982 of 2024**

Dated : 27.08.2024