



W.A.No.1106 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2025

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

W.A.No.1106 of 2025

and

C.M.P.No.8722 of 2025

Desikan

... Appellant

Vs.

1. District Collector,
Ariyalur District.

2. Revenue Divisional Officer,
Udayarpalayam, Ariyalur District.

3. Deputy Superintendent of Police,
Jayankondam, Ariyalur District.

4. Inspector of Police,
Udayarpalayam Police Station,
Ariyalur District.

... Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, pleased to set aside the order dated 26.02.2025 made in W.P.No.6670 of 2025 passed by this Court and allow this writ appeal.



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For Appellant	: Mr.R.Thiagarajan
For R1 & R2	: Mr.E.Veda Bagath Singh, Special Government Pleader
For R3 & R4	: Mr.M.Babu Muthu Meeran Additional Public Prosecutor

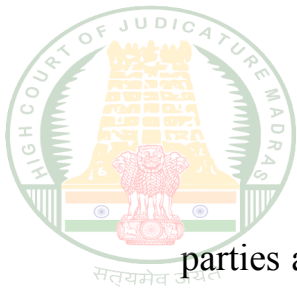
J U D G M E N T

[Judgment was delivered by **S.M.SUBRAMANIAM, J.**]

The writ order dated 26.02.2025 passed in W.P.No.6670 of 2025 is under challenge in the present intra court appeal.

2. The appellant filed the writ petition seeking a direction to the Inspector of Police to unlock and return the keys of the Temple to the appellant for the performance of daily pooja to the deity at the Kaliyamman Temple, Parukkal Village, Udayarpalayam Taluk, Ariyalur District, as per the order of the Deputy Superintendent of Police dated 14.09.2024.

3. The order of the Police authorities to maintain the public order would not confer any civil right on a person nor such order will provide a cause for institution of writ proceedings seeking a direction to unlock and return the keys of the temple. Whenever such nature of dispute arises, the



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parties are to be relegated to approach the Competent Civil Court of Law for the purpose of crystallising their civil rights.

4. The Writ Court, in exercise of powers of the judicial review, cannot adjudicate the disputed facts of this nature, which is to be done by the Civil Court of Law with the documents and evidences available on record. Mere affidavit filed in the writ petition is insufficient for the purpose of conferring any civil rights to any person and that being the principles to be followed, the Writ Court is absolutely right in relegating the parties to approach the Civil Court.

5. Thus, the Writ Appeal is devoid of merits and the same is accordingly dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

[S.M.S., J.] [K.R.S., J.]
09.04.2025

Jeni
Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation : Yes / No

S.M.SUBRAMANIAM, J.
and



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K.RAJASEKAR, J.

Jeni

To

1. District Collector,
Ariyalur District.
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Udayarpalayam, Ariyalur District.
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