



W.P.No.15875 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.15875 of 2023

Arumugam,
S/o.Ponnusamy,
Hereditary Trustee of Kavuthimalai Vediappan Temple,
one of the Trustee of Vayaputhra Aanchaneyar Temple
Ordinarily residing at,
Vengayavellore Village,
Inamkaariyandhal Village Panchayat,
Tiruvannamalai Taluk and District.
Permanently residing at,
No.1, South Othavaadai Street,
Tiruvannamalai Town,
Tiruvannamalai District.

...

Petitioner

versus

- 1.The Superintendent of Police,
Tiruvannamalai District,
Tiruvannamalai.
- 2.The Deputy Superintendent of Police,
Tiruvannamalai Town,
Tiruvannamalai District.
- 3.The Inspector of Police,
Taluk Police Station,
Tiruvannamalai Taluk and District.



W.P.No.15875 of 2023

WEB COPY

4.Murugan
5.Manickam

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st to 3rd respondents to give police protection to the petitioner based on representation dated 16.03.2023 and his men and agents for transporting of Panchamuga Hanuman Idol and Hanuman Idol through the said cart tract “Nilaviyal Pathai” into the temple situated in Survey No.3/3A at Vengayavellore Village and to implement the ad-interim injunction order dated 22.02.2023 made in I.A.No.4 of 2023 in O.S.No.31 of 2023 on the file of the Principal District Munsif, Tiruvannamalai and consequently directing the 1st to 3rd respondent to give police protection for executing the order dated 13.12.2022 in W.P.No.33488 of 2022 for removing the fencing put up by the 4th respondent illegally in “Nilaviyal Pathai”.

For Petitioner	:	Mr.K.Silambarasan
For Respondents	:	Mr.R.Vinothraja Government Advocate (Crl. Side) for R1 to R3 No Appearance - R4 & R5

ORDER

This Writ Petition is filed to direct the respondents 1 to 3 to give police protection to the petitioner based on his representation dated 16.03.2023.



W.P.No.15875 of 2023

WEB COPY

2. The grievance of the petitioner is that the private respondents are preventing the petitioner from using the “Nilaviyal Pathai” of the temple. In this regard, he has already filed a suit in O.S.No.31 of 2023 and obtained an ad-interim injunction against the private respondents in I.A.No.4 of 2023 on the file of the learned Principal District Munsif, Thiruvannamalai. Therefore, he seeks police protection.

3. Admittedly, the petitioner obtained an interim order. If there is any violation of the interim order, it is well open to the petitioner to proceed against under Order 39 Rule 2(A) and Section 151 of CPC before the concerned court. The police protection cannot be granted under Article 226 of the Constitution of India to execute an order of injunction passed by the Sub Court. It is clearly held by the Division Bench of this Court in the case of *S.N.J.Abdul Hakeen Vs. Assisrathul Musthakeem Etheemkhana Trust (DB)* reported in *2005 2 MLJ 533*. The said order has been followed by a Division Bench of this Court in the case of *Pastor John Ponnaiah Vs. Assistant Commissioner of Police* reported in *2009 8 MLJ 1597*.



W.P.No.15875 of 2023

4. In view of the above, this Writ Petition is dismissed. No costs.

WEB COPY

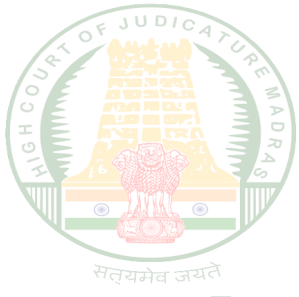
20.08.2025

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri



W.P.No.15875 of 2023

WEB COPY

To

- 1.The Principal District Munsif,
Tiruvannamalai.
- 2.The Superintendent of Police,
Tiruvannamalai District,
Tiruvannamalai.
- 3.The Deputy Superintendent of Police,
Tiruvannamalai Town,
Tiruvannamalai District.
- 4.The Inspector of Police,
Taluk Police Station,
Tiruvannamalai Taluk and District.



WEB COPY



W.P.No.15875 of 2023

N.SATHISH KUMAR, J.

sri

W.P.No.15875 of 2023

20.08.2025