



W.P.Crl.No.639 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2025

CORAM:

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.Crl.No.639 of 2025

Pastor S.Arun

... Petitioner

Versus

1.The District Collector
Namakkal District, Namakkal

2.The Superintendent of Police
Namakkal District, Namakkal

3.The Tahsildar
Sendamangalam Taluk Office
Sendamangalam, Namakkal District

4.The Inspector of Police
Sendamangalam Police Station
Namakkal District

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus, directing the respondents 1 to 4 to give police protection to construct a protective compound wall around the graveyard situated in Tamil Baptist Church (SBM), Sendamangalam Taluk, Namakkal District and ensure its safety from further desecration or interference.

For Petitioner : Mr.K.Balaji



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For Respondents

: Mr.R.Vinothraja
Government Advocate (Crl.Side)

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ORDER

The writ petition has been filed seeking to direct the respondents 1 to 4 to give police protection to construct a protective compound wall around the graveyard situated in Tamil Baptist Church (SBM), Sendamangalam Taluk, Namakkal District and ensure its safety from further desecration or interference.

2. It is the contention of the learned counsel for the petitioner some miscreants unlawfully entered the church and desecrated the graveyard damaging several graves and the compound wall using JCB. Hence, seeks for police protection for constructing graveyard.

3. Heard both sides and perused the materials placed on record.

4. At the out set, this Court is unable to countenance the submission of the learned counsel for the petitioner. If at all, any attempt is made to interfere with the peaceful possession of the petitioner, it is for the petitioner



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to make to file a suit for permanent injunction as against the alleged perpetrator(s) before the civil court, instead of doing so, seeking a general direction for police protection cannot be granted. In this regard, the Hon'ble Apex Court in the judgment of ***P.R.Muralidharan and others Vs. Swami Dharmananda Theertha Padar and others*** reported in ***(2006) 4 SCC 501*** has held that what are all the matters for which police protection can be granted. For better appreciation, the relevant portion of the judgment is extracted below:

“...19. A writ for “police protection” so-called, has only a limited scope, as, when the court is approached for protection of rights declared by a decree or by an order passed by a civil court. It cannot be extended to cases where rights have not been determined either finally by the civil court or, at least at an interlocutory stage in an unambiguous manner, and then too in furtherance of the decree or order.”

5. In view of the above, this writ petition stands dismissed. No costs.

22.08.2025

dhk

Index :Yes/No

N. SATHISH KUMAR, J.



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To

- 1.The District Collector
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- 3.The Tahsildar
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