



W.P(MD)No.1324 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.02.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD)No.1324 of 2025

M.Jeyalakshmi

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Pudukottai.

2.The Inspector of Police,
Jegathapattinam Police Station,
Pudukottai District.

3.Dharmaraj

4.Marimuthu

5.Sekar

6.Palchamy

... 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 1 and 2 to give police protection to the petitioner's life and limb while performing the pooja in the above said temple situated in Survey No.226/1B at Irilivayal



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Hamlet, Kodikulam Revenue Village, Manamelkudi Taluk, Pudukottai District
on the basis of the petitioner's representation, dated 23.12.2024 and pass such
further or other as this Court.

For Petitioner : Mr.R.Paranjothi
for KBS Law Office

For R-1 & R-2 : Mr.M.Sakthi Kumar
Government Advocate

For R-3 to R-6 : Mr.K.Kharikharadhas

ORDER

The present petition has been filed for issuance of Writ of Mandamus directing the respondents 1 and 2 to give police protection while performing pooja in the Temple situated in Survey No.226/1B at Irilivayal Hamlet, Kodikulam Revenue Village, Manamelkudi Taluk, Pudukottai District on the basis of the petitioner's representation, dated 23.12.2024.

2. According to the petitioner, the Temple, namely, Mangalyakari Amman situated in S.F.No.226/1B belongs to the family members of the petitioner. The family of the petitioner permitted the fourth petitioner to assist the pooja in the said Temple. While so, due to his misbehavior of the devotees



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during worship, he was not permitted to render poojas. Due to the motive, on 08.09.2024, the fourth respondent along with others had broken the lock of the Temple and stolen the copper shield and gold ornaments. Therefore, the petitioner lodged a complaint before the police on 08.09.2024 but no action was taken. The private respondents have filed a suit in O.S.No.97 of 2024 before the Sub Court, Aranthangi to declare the Temple belongs to Irativayal Villagers and the same is pending. Thereafter, the petitioner sent a representation through registered post on 23.12.2024 to the first respondent but the same has not been considered. Therefore, the petitioner filed this petition.

3. The learned Government Advocate appearing for the official respondents would submit that already there is a dispute between the parties in respect of conducting poojas in the Temple and thereby, already elaborate enquiry was conducted and peace meeting was also conducted. As per the peace meeting, both parties agreed to go before the civil Court to establish their rights over the property and both parties can peacefully worship the deity by having common key. The petitioner also participated in the meeting but not agreed for that. Thereafter, the petitioner filed this petition. Therefore, there is no merits in this petition. Hence, the petition is liable to be dismissed.



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4. The learned Counsel appearing for the private respondents would submit that already there is a dispute between the parties in respect of the Temple and this private respondents filed a suit in O.S.No.97 of 2024 before the Sub Court, Aranthangi and the same is pending. While so, this present petition is filed only to harass the respondents. Therefore, the petition is liable to be dismissed.

5. This Court had heard both sides and perused the materials available on record.

6. According to the petitioner, the Temple is situated in the patta land of the petitioner in S.F.No.226/1B to an extent of 0.03.5 ares of Irativayal Village. According to the respondents, they also claiming right over the property and thereby, they have filed a suit in O.S.No.97 of 2024 and the same is pending. The respondents 1 and 2 already stated that since both the parties claiming right over the Temple, they already advised the parties to approach the Civil Court for establish their rights over the property and both the parties agreed to resolve their issues through civil Court and they worship the God without any dispute. Since already the civil case is pending, the parties can seek remedy through



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civil Court in respect of their rights. However, as agreed by both the parties before the peace committee meeting, the petitioner has not agreed for the common lock and key. Now this petition is filed to consider the representation of the petitioner, dated 23.12.2024. However, the said representation was already considered by the respondents 1 and 2 and the same was closed by directing the parties to seek appropriate remedy through the civil Court. Therefore, nothing survives for further adjudication and the parties can seek remedy through the civil Court, where the suit is already pending.

7. With the above said observations, this writ petition stands closed.

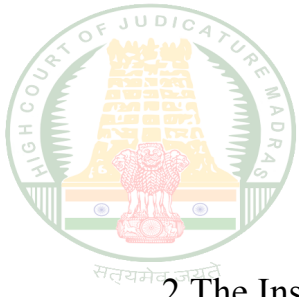
There shall be no order as to costs.

17.02.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

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Pudukottai.



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P.DHANABAL, J.

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