



W.P.Crl.(MD)No.947 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

W.P.Crl.(MD) No.947 of 2025

Jeyaseelan

... Petitioner

Vs.

1.The Superintendent of Police,
Tenkasi Taluk,
Tenkasi.

2.The Revenue Divisional Officer,
Tenkasi Division, Tenkasi.

3.The Tahsildar,
Veerakeralamputhur Taluk,
Tenkasi District.

4.The Inspector of Police,
Uthumalai Police Station,
Tenkasi District.

5.Mariyadas

6. Prabhu

7. Abinesh

...Respondents



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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 to 4 to provide adequate police protection to enable the Punitha Arokiya Madha Church to conduct the annual festival peacefully in Survey No.485/14 situated at Keelakalanganal Village, Veerakeralamputhur Taluk, Tenkasi District by considering the petitioner's representation dated 30.06.2025.

For Petitioner : Mr.T.Leninkumar

For R1 to R4 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

For R5 : Mr.C.Christopher

ORDER

The petitioner has filed the present Writ Petition seeking issuance of a Writ of Mandamus, directing the respondent Nos.1 to 4 to provide adequate Police protection to enable the Punitha Arokiya Madha Church to conduct the annual festival peacefully in Survey No.485/14 situated at Keelakalanganal Village, Veerakeralamputhur Taluk, Tenkasi District, by considering the petitioner's representation dated 30.06.2025.

2. The learned counsel for the petitioner submitted that the land in question belongs to the aforesaid Church. According to him, respondent Nos.5 to 7 are preventing the petitioner from conducting the festival in the said land



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and hence a direction is necessary to respondent No.4 to provide Police protection.

3. He further contended that the document, under which, respondent Nos. 5 to 7 claimed title to the property had already been cancelled by the District Registrar, by proceedings dated 03.11.2019. Consequently, respondent Nos.5 to 7 have no right over the property, and there is no impediment for the Police to extend protection for the conduct of the festival.

4. The learned Additional Public Prosecutor, on instructions, submitted that respondent No.4 conducted an enquiry on the petitioner's request, which was closed on 13.08.2025, based on an undertaking given by the petitioner to work out his remedy before the Civil Court, since the dispute is essentially civil in nature concerning possession of the property between the petitioner and respondent Nos.5 to 7. A copy of the closure report has been produced before this Court.

5. The learned counsel for the fifth respondent submitted that the fifth respondent had acquired the property through a valid sale deed. Though the said sale deed was cancelled by the District Registrar on 03.11.2019, the fifth



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respondent had preferred an appeal, which also came to be dismissed. He further submitted that he is proposing to challenge the same by filing a Writ Petition.

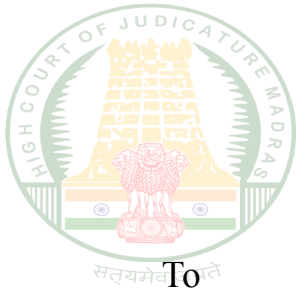
6. Considering the rival submissions, this Court is of the view that there are factual disputes with regard to possession of the property between the petitioner and respondent Nos.5 to 7. If the petitioner claims any legal right over the property, the proper remedy is only before the Civil Court. Since the legal right over the property has not been finally adjudicated by any competent Civil Court, the Police cannot be directed to intervene or take steps in favour of either party.

7. In view of the above, the relief sought for by the petitioner cannot be granted. Accordingly, this Writ Petition is dismissed. No costs.

03.09.2025

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

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Madurai Bench of Madras High Court,
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SUNDER MOHAN, J.

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