



CRL OP(MD). No.20536 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 27/11/2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL OP(MD). No.20536 of 2025
and
CrI.M.P(MD) No.17423 of 2025

T.Thangaraj

... Petitioner

Vs

1.The Sub Divisional Magistrate,
Cum Sub Collector,
Periyakulam.

2.State of Tamilnadu,
Rep by Inspector of Police,
Allinagaram Police Station,
Theni District.
Crime No.130/2025.

3.S.Krishna

4. S.Venkateswaran

... Respondents

PRAYER :- This Criminal Original Petition is filed under Section 528 BNSS, to call for the records the impugned order dated 02.08.2025 passed in M.C.No.98/2025/A4 on the file of 1st Respondent and quash the same as illegal.

For Petitioner : Mr.K.Chengizkhan



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For R1 and R2 : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

ORDER

The petitioner seeks to quash the impugned order dated 02.08.2025 passed in M.C.No.98/2025/A4 on the file of first respondent.

2.By the impugned order, the first respondent apprehending a breach of peace had conducted an enquiry under Section 164 of BNSS calling upon both 'A' party and the 'B' party for the enquiry. During the enquiry, it was observed that the 'B' party, consisting of 14 members, shall not prevent the 'A' party, consisting of 21 members, from worshipping at the Kaliamman Swamy Temple and further observed that one S.J.Krishna had produced documents establishing that he was the administrator of the Temple.

3.It is the case of the petitioner, he is in the management of the temple; that he was not made a party before the proceedings under Section 164 of BNSS; that the order passed by the the first respondent



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should be confined only to the resolution of the dispute between two groups with regard to worshiping in the temple.

4.It is seen from the impugned order that the first respondent had directed the B party members not to restrict or prevent the members of the A party from worshiping in the temple. There cannot be any infirmity in the said order. However, a passing reference has been made in the order stating that one S.J.Krishna, a member of the A party, had produced documents to show that he is administering the temple.

5.It is made clear that the observations made by the Tahsildar cannot be construed as one conferring the said right on S.J.Krishna, since it is the case of the petitioner that he is in the management of the temple. It is also made clear that this order should not be construed as accepting the petitioner claim.



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6. With the above clarification, the impugned order dated 02.08.2025 passed by the first respondent is confirmed and it is open to the parties to work out their remedy before the Civil Court. Accordingly, this Criminal Original Petition is disposed of.

27.11.2025

NCC :Yes/No
Index :Yes/No
Internet :Yes/No
CP/ars
TO

- 1.The Sub Divisional Magistrate,
Cum Sub Collector,
Periyakulam.
- 2.The Inspector of Police,
Allinagaram Police Station,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN,J

CP/ars

ORDER
IN
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