



W.P.Crl(MD)No.2647 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.12.2025

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

Writ Petition Crl.(MD)No.2647 of 2025
and W.M.P.Crl(MD).No.631 of 2025

S.Ganesan

..Petitioner

Vs

1.State of Tamil Nadu,
rep., by the Inspector of Police,
Sankarankovil Police Station,
Tenkasi District.

2.Brahmananda Sri Sivaprabhakara Siddha
Yogi Paramahansa Dharma Trust
rep., by its Trustee V.Subhadra

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to forbear the respondents from interfering in the possession and administration of Anbaneri Nattar Thevamar Podhu Mandabam belonging to 18 villages headed by Periyar Kadambankulam situated at RS.No.5, Block No.30, Sankarankovil Taluk and Town and in the conduct of Paarivettai Festival to be held on 2nd of Thai month every year.

For Petitioner : Mr.S.Selva Aditya

For R1 : Mr.A.S.Abul Kalaam Asad
Government Advocate (Crl.side)



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ORDER

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The present Writ Petition has been filed for the issuance of a Writ of Mandamus forbearing the respondents from interfering in the possession and administration of 'Anbaneri Nattar Thevamar Podhu Mandabam' belonging to 18 villages headed by Periyar Kadambankulam situated at RS.No.5, Block No. 30, Sankarankovil Taluk and Town and in the conduct of Paarivettai Festival to be held on 2nd of Thai month every year.

2.The petitioner submitted that he is in possession of the Anbaneri Nattar Thevamar Podhu Mandabam as its Administrator. However, the second respondent, who is a Trustee to the Brahmmananda Sri Sivaprabhakara Siddha, Yogi Paramahansa Dharma Trust, is claiming the right over the said property. Admittedly, there is a suit in O.S.No.147 of 2017 on the file of the Subordinate Court, Sankarankovil, filed by the second respondent claiming recovery of possession. Now, the second respondent has lodged a complaint alleging that the petitioner is interfering with their possession of the subject property, which is wholly contrary to the relief sought in the said suit.

3. Considering the facts and circumstances of the case, this Court is of the considered view that when the suit is pending and any issue arises during



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the pendency of the suit, the parties ought to have approached the civil Court by way of interlocutory application. Without resorting to such remedy, approaching the police is not proper. Therefore, this Court is inclined to entertain this writ petition and direct the first respondent not to interfere in the civil dispute pending adjudication before the civil Court.

4. With the above direction, this Writ Petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

18.12.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

Rmk

To

1. The Inspector of Police,
Sankarankovil Police Station,
Tenkasi District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY, J.

Rmk

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