

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 29.12.2016****CORAM:****THE HONOURABLE Mr. JUSTICE R. MAHADEVAN****Crl.O.P. (MD) No. 24042 of 2016**

K.Vijayakumar

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District.2.The Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli.

3.Rajapandian

... Respondents


PRAYER: Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondents 1 and 2 to award adequate police protection to the petitioner and enabling the petitioner to break open the lock of Sri Vijayaganapathy Temple in Survey No.293/1 at Plot No.63, Surya Nagar, K.T.C.Nagar Section, Palayamkottai, Tirunelveli in the light of the judgement and decree dated 12.09.2016 in O.S.No.467 of 2015 passed by the Principal Distirct Munsif, Tirunelveli, considering the petitioner's representation dated 18.12.2016.

For Petitioner : Mr.A.Sivasubramanian

For Respondents : Mr.P.Kandasamy, Government Advocate
(Crl. Side)**O R D E R**

The petitioner has come forward with the present Criminal Original petition to direct the respondents 1 and 2 to provide adequate police protection to the petitioner and enabling the petitioner to break open the lock of Sri Vijayaganapathy Temple in Survey No.293/1 at Plot No.63, Surya Nagar, K.T.C.Nagar Section, Palayamkottai, Tirunelveli in the light of the judgment and decree dated 12.09.2016 in O.S.No.467 of 2015 passed by the Principal Distirct Munsif, Tirunelveli, by considering the petitioner's representation dated 18.12.2016.

2.The case of the petitioner is that for maintaining the above said Temple, the 3rd respondent and one Muthukrishnan have been



appointed. However, in order to take over the affairs of the temple, they threatened the petitioner and also on 10.11.2014 they changed the name of the temple as Sri Surya Vinayagar Temple and declared Mahakumbabishekam function. Hence, the petitioner filed a suit in O.S.No.467 of 2015 before the Principal District Munsif Court, Tirunelveli, for permanent injunction and the suit was decreed on 12.09.2016 as prayed for.

4.The contention of the petitioner is that inspite of the above said order, the 3rd respondent is continuously creating problem and took away all the pooja articles and also locked the temple. Hence, the petitioner gave a representation on 18.12.2016 before the respondents 1 and 2 to break open the lock of the temple. Since no action has been taken so far, the petitioner is before this Court with the present petition.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondents.

6.Considering the facts and circumstances of the case, the 1st respondent is directed consider the representation of the petitioner dated 18.12.2016 and pass orders on merits and in accordance with law within a period of 2 weeks from the date of receipt of a copy of this order.

7.The Criminal Original petition is disposed of accordingly.

Sd/-
Assistant Registrar (AS)

/TRUE COPY/

Sub Assistant Registrar

nbj

To

1.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli.

+1CC TO MR.A.SIVASUBRAMANIAN,ADVOCATE, SR NO.83720

crl.O.P. (MD) No.24042 of 2016
29.12.2016