

WP(MD)No.25928 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.09.2026

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CORAM

THE HON'BLE MR JUSTICE C.V.KARTHIKEYAN
AND
THE HON'BLE MR JUSTICE R.SAKTHIVEL

W.P(MD)No.25928 of 2026

Raja Sm Social Activist,
S/o. Moorthy Naidu,
JJ Nagar, Sakkampatti,
Andipatti Taluk, Theni District.

... Petitioner

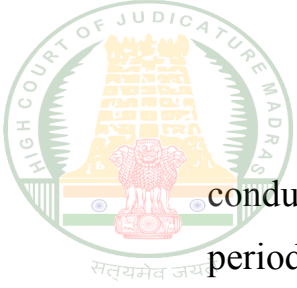
- Vs. -

1. State Represented by Additional Director General of Police, Idol
Smuggling Prevention Division Office, Ashok Nagar,
Chennai - 83.

2. The Joint Director Central Bureau of Investigation,
No.26, Haddows Road,
Nungambakkam, Chennai - 06.

... Respondents

Prayer in WP(MD). 25928/ 2026 :Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka. No.P2/4186/C.Ka.Tha.P/2025 dated 22.01.2026 passed by the 1st respondent and quash the same and consequently to withdraw the complaint dated 04.11.2025 given by the petitioner to the 1st respondent and transfer the same to the 2nd respondent and further to direct the 2nd respondent to



WP(MD)No.25928 of 2026

conduct and investigate and further to register the case within a stipulated period of time fixed by this Court.

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For Petitioner : Mr.K.Gokul
For Respondents : Mr.M.P.Senthil
Government Pleader for
Mr.D.Venkatesh for R1
Government Advocate
Mr.N.Mohideen Basha for R2

ORDER

(Order of the Court was made by C.V.KARTHIKEYAN, J)

The writ petition has been filed as a public interest litigation in the nature of Certiorarified Mandamus seeking records relating to an order dated 22.01.2026 passed by the 1st respondent, Additional Director General of Police, Idol Smuggling Prevention Division Office at Chennai and quash the same and consequently to withdraw the complaint dated 04.11.2025 given to the first respondent and transfer the same to the 2nd respondent Joint Director, Central Bureau of Investigation and to investigate and register a case.

2. The entire issue surrounds the alleged missing, in the Temple Arulmighu Kalatheeswarar Abirami Temple in Dindigul also called as

*WP(MD)No.25928 of 2026*

Abirami Amman Temple, of two idols namely, Karudalvar Idol and Bala Durgai Amman idol attached with pillars. The learned counsel had attached photographs of the same. He claims that necessary investigation should be done regarding the missing of the two idols. This particular complaint had not been forwarded to the first respondent but it had been forwarded to the Chief Minister's Cell. Thereafter it had been reforwarded to the first respondent. The first respondent had issued the communication, which is impugned in the writ petition.

3. The procedure known to law has to be followed by the petitioner and by everybody else. That requires a proper complaint to be lodged before the appropriate investigating agency and thereafter to approach the concerned jurisdictional Magistrate Court or the Court having jurisdiction to deal with that specific offence to seek further relief, in case no action had been taken on the complaint. The procedure as enunciated under the BNSS 2023 will have to be followed. Merely issuing a letter to the Chief Minister's Cell and then filing a public interest litigation would not advance the cause of the petitioner herein. We would grant liberty to the petitioner to follow the procedure as established by law with respect to the same issue



WP(MD)No.25928 of 2026

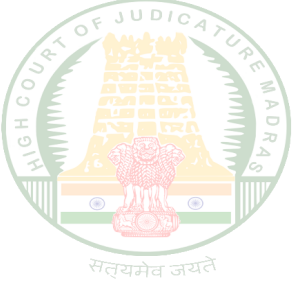
in proper manner. When it is taken up for consideration, the observation made by us may not play on the mind of either the investigating agency or the Court, which deals with any such complaint to be lodged/if lodged by the petitioner herein. The further statement made on behalf of the first respondent that the two idols are actually available in the temple and that they are not being worshipped because of the damage is also recorded. The writ petition stands dismissed accordingly. No costs.

(C.V.K.,J.) (R.S.V,J.)
08.09.2026

NCC : Yes/No
Index : Yes/No
RR

To

1.The Additional Director General of Police,
Idol Smuggling Prevention Division Office, Ashok Nagar,
Chennai - 83.



WEB COPY

WP(MD)No.25928 of 2026

**C.V.KARTHIKEYAN, J
AND
R.SAKTHIVEL, J**

RR

WP(MD) No.25928 of 2026

08.09.2026