

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 19TH DAY OF OCTOBER 2015/27TH ASWINA, 1937

WP(C).No. 31210 of 2015 (A)

PETITIONER :

**NARUKARA GOPI
CHAIRMAN, HINDU SAMAJ MANDAL
OORAKAM, MALAPPURAM DISTRICT.**

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENT(S) :

- 1. THE DISTRICT POLICE CHIEF
MALAPPURAM – 676 505.**
- 2. STATE OF KERALA
REP. BY CHIEF SECRETARY
SECRETARIAT, THIRUVANANTHAPURAM – 695 001.**
- 3. T.P.VIJAYAKUMAR
PRESIDENT, SANKARA NARAYANA TRUST
AGED 65 YEARS, S/O. PADMANABHAN, “AARAM”
MANJERI, MALAPPURAM – 676 121.**
- 4. C. SIVADASAN
S/O.KADUNGI, CONVENOR
SHANKARA NARAYANA TRUST, VENGARA
IRINGALLOOR AMSOM, THIRURANGADI TALUK
MALAPPURAM – 676 122.**

**R1 & R2 BY GOVT. PLEADER SRI. GIKKU JACOB
R3 & R4 BY ADV. SMT.R.PADMAKUMARI**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19-10-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

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...2/-

APPENDIX

PETITIONERS' EXHIBITS :

- EXT. P1 TRUE COPY OF THE NOTICE ISSUED BY THE COMMITTEE WHICH IS
CIRCULATED AMONG THE DEVOTEES AND PUBLIC.
- EXT. P2 TRUE COPY OF THE LICENCE NO.G1(B) 71937/15 MM DATED 6.10.2015
ISSUED BY THE 1ST RESPONDENT.
- EXT. P3 TRUE COPY OF THE ORDER CANCELLING THE MIKE PERMISSION
DATED 9.10.2015 ISSUED BY THE 1ST RESONDENT.

RESPONDENT(S)' EXHIBITS :

- EXT. R3(1) COPY OF THE CERTIFICATE ISSUED BY THE DISTRICT REGISTRAR
AND REGISTRAR OF SOCIETIES, MALAPPURAM.
- EXT. R3(2) MEMORANDUM OF ASSOCIATION OF "TASK KSHEMASAMITHY".
- EXT. R3(3) COPY OF THE NOTICE PRINTED BY THE THIRUARCHANAMKUNNU
SREE SANKARA NARAYANA KSHETHRA KSHEMASAMITHY.
- EXT. R3(4) COPY OF THE MINUTES OF THE MEETING HELD ON 20-9-2015.
- EXT. R3(5) COPY OF THE MINUTES OF THE MEETING HELD ON 27-9-2015.
- EXT. R3(6) COPY OF THE MALAYALA MANORAMA DAILY DATED 29-9-2015.
- EXT. R3(7) COPY OF THE PAPER REPORT PUBLISHED IN MALAYALA MANORAMA
DAILY DATED 30-9-2015.
- EXT. R3(8) COPY OF THE COMPLAINT DATED 6-10-2015 FILED BEFORE THE 1ST
RESPONDENT JOINTLY BY THE 3RD RESPONDENT AND GENERAL
CONVENER OF THE ULSAVAKHOSHA COMMITTEE.
- EXT. R3(9) COPY OF THE COMPLAINT SUBMITTED BY P.MADHAVAN
NAMBOOTHIRI BEFORE THE 1ST RESPONDENT DATED 9-10-2015.
- EXT. R3(10) COPY OF THE APPROVAL GIVEN BY THE OORALAN/PATRON DATED
29-9-2015.
- EXT. R3(11) COPY OF THE REPORT PUBLISHED IN MATHRUBOOMI DAILY DATED
15-10-2015.

(Contd...)

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**EXT. R3(12) COPY OF THE COMPLAINT FILED BY THE 3RD RESPONDENT DATED
15-10-2015 BEFORE THE 1ST RESPONDENT.**

**EXT. R3(13) COPY OF THE COMPLAINT FILED BY THE CHAIRMAN AND GENERAL
CONVENER OF ULSAVAKHOSHA COMMITTEE JOINTLY DATED
15-10-2015 BEFORE THE 1ST RESPONDENT.**

EXT. R3(14) THE RECEIPT ISSUED FROM THE OFFICE OF THE 1ST RESPONDENT.

//TRUE COPY//

P.A. TO JUDGE

Mn

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.31210 of 2015

Dated this the 19th day of October, 2015

JUDGMENT

The petitioner has approached this Court on account of cancellation of permission granted by the Police Officials to use mike for the purpose of “Thiruvona Festival”, “Thiruvona Malakayattam” and Renovation of the Oorakam Thiruvarchanamkunnu Sankara Narayana Swami Temple. This Court on 13.10.2015 granted interim order. The petitioner now satisfies that the remedy is redressed.

2. The respondents 3 and 4 would come and oppose the prayers and submit that in the light of the interim order, the petitioner is attempting to assert the right over the committee.

This Court is of the view that any difference of opinion between the petitioner and the party respondents, has to be sorted out in appropriate manner. The interim order cannot be construed that this Court has recognized the right of the petitioner in relation to the conduct of the festival and it is made clear that the interim

order is issued only in the light of Ext.P3 order and not in recognition of any right of the petitioner. If there is any law and order situation, the first respondent shall ensure that no law and order situation occurs in this area in connection with the festival.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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