

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.13021 of 2015

R.Jaganathan

... Petitioner

Vs.

The Sub Inspector of Police,
Santhaivasal Police Station,
Thiruvannamalai District.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records on the file of the respondent dated 21.04.2015 and quash the same and consequently direct the respondent to grant permission for conducting cultural, dance and entertainment programs as permissible under law during the festival of Sri Muthu Mariamman temple situated at Santhaimedu, Theppananthal kelur, Polur Taluk, Thiruvannamalai district on 03.05.2015 (Sunday 7 pm to 11 pm).

For Petitioner : Ms.S.Suriya

for M/s.Royan Law Associates

For Respondent : Mr.M.Digvijaya Pandian

Additional Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner claims that he is a permanent resident of Pillaiyar Koil Street, Kelur, Anaipettai, Polur Taluk, Thiruvannamalai district and he is also managing administration of the affairs of "Sri Muthu Mariamman Temple" situated at Santhaimedu and submitted an application on 21.04.2015 to conduct cultural program on 03.05.2015 to the respondent in connection with the Temple festival and it was rejected by a cryptic order and hence, came forward to file this writ petition.

3.Ms.S.Suriya, learned counsel appearing for the petitioner has drawn the attention of this Court to the impugned order and would submit, without issuing any reason, the request made by the petitioner in the form of application to conduct cultural program in connection with the Temple festival came to be rejected. Hence prays

for interference.

4.Per contra, Mr.M.Digvijaya Pandian, learned Additional Government Pleader who accepts notice for the respondent would contend, apprehending law and order problem only the application of the petitioner was rejected.

5.Considering the submissions made on either side, this Court is of the view that the impugned order warrants interference for the following reason. It is the submission of the learned Additional Government Pleader that apprehending law and order problem only, the application of the petitioner came to be rejected. A perusal of the impugned order would disclose that nothing have been stated as reason for rejection of the application and it is for the first time such a submission has been made before this Court. Hence, on the sole ground the impugned order warrants interference.

6.Hence, this writ petition is partly allowed and the impugned order dated 21.04.2015 is set aside and the respondent is directed to consider the application of the petitioner dated 21.04.2015 in accordance with law and pass orders as expeditiously as possible on or before 01.05.2015 and communicate the decision to the petitioner. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

pri
To

1.The Sub Inspector of Police,
Santhaivasal Police Station,
Thiruvannamalai District.

2.The Public Prosecutor,
High Court, Madras.

1 cc to M/s.Royan Law Associates ,Advocate, SR.No.23868
1 cc to Government Pleader,Sr.No.24236

W.P.No.13021 of 2015

ug(co)
pmk.30.4.2015