

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 30.04.2015

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.13224 of 2015
and M.P.No.1 of 2015

R.K.Viswanna Gounder

.. Petitioner

Versus

1. The Superintendent of Police,
Erode District.

2. The Sub-Inspector of Police,
Vellithirupur Police Station,
Erode District.

.. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of Certiorarified mandamus, calling for the records pertaining to the 2nd respondent order dated 21.04.2015 in Na.Ka.No.02/Ve.T.P.S./2015 and quash the same consequently directing the 2nd respondent to give permission to conduct a festival program schedule to be held on 07.05.2015 by considering the petitioner representation dated 20.04.2015.

For Petitioner : Mr.E.C.Ramesh

For Respondents : Mr.R.Vijayakumar
Additional Government Pleader

ORDER

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

2. The petitioner wants to conduct the festival of Arulmigu Sri Sellamuthu Mariyamman Tirukovil and in this regard the Committee submitted an application to conduct the cultural programme and it was rejected by the 2nd respondent vide impugned memo dated 21.04.2015 stating that unless he obtains the Court order, such a permission cannot be granted. The petitioner challenging the legality of the said order has filed this writ petition.

3. The learned counsel appearing for the petitioner would submit that the cultural program is scheduled to be conducted on 07.05.2015 and in the event of permission being granted, there will not be any law and order problem and no vulgarity or obscenity will be there and prays for appropriate orders.

4. The Court heard the submissions of Mr.R.Vijayakumar, learned Additional Government Pleader, who accepts notice for the respondents.

5. In the considered opinion of this Court, the reason for rejection in the impugned order is per se unsustainable. The 2nd respondent being in-charge of the law and order of the locality is bound to consider the application submitted by the petitioner in accordance with law and he cannot drive the petitioner to get an order from the Court.

6. In the result, the writ petition is partly allowed and the impugned order dated 21.04.2015 is set aside and the 2nd respondent is directed to reconsider the petitioner's application dated 20.04.2015 in accordance with law and pass appropriate orders on or before 05.05.2015 and communicate the decision taken, to the petitioner forthwith. No Costs. Consequently, the connected Miscellaneous Petition is closed.

30.04.2015

Index:Yes/No
Internet:Yes/No.

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M.SATHYANARAYANAN.J,

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To

1. The Superintendent of Police,
Erode District.

2. The Sub-Inspector of Police,
Vellithirupur Police Station,
Erode District.

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