

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.05.2015

CORAM

THE HONOURABLE Mr.JUSTICE M.DURAI SWAMY

W.P.No.14926 of 2015

and

M.P.No.1 of 2015

C.N.Arumugam

.. Petitioner

vs.

1. The Joint Commissioner/Executive Officer
Arulmigu Subramaniya Swamy Thirukkoil
Tiruttani, Tiruvallur District.

2. The Superintendent of Police
Tiruttani, Tiruvallur District.

3. The Deputy Superintendent of Police
Tiruttani, Tiruvallur District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of mandamus to direct the second and third respondents to provide the petitioner with adequate police protection/security to participate during the auction process being held at Arulmigu Subramaniya Swamy Thirukoil, Tiruttani, Tiruvallur District on 27.05.2015 pursuant to tender notification bearing Na.Ka.No.655 of 2015 dated 11.05.2015.

For Petitioner : Mr.N.R.Elango
Senior counsel for
Mr.R.Vivekananthan

For Respondents: Mr.P.Gopalan for R1
Mr.R.Ravichandran
Additional Government Pleader for RR2&3

ORDER

The petitioner has filed the above writ petition seeking for the issuance of a writ of mandamus directing the second and third respondents to provide adequate police protection/security to participate during the auction process being held at Arulmigu Subramaniya Swamy Thirukoil, Tiruttani, Tiruvallur District on 27.05.2015 pursuant to the tender notification dated 11.05.2015.

2. According to the petitioner, he is a licensee and a qualified person to participate in the annual auction held at the Arulmighu Subramaniya Swamy Tirukkoil, Tirutanni every year and he has been a regular participant in its tender process for many years. He submitted his bid for collecting the tonsured hair offered by the pilgrims of the temple and succeeded in attaining the tender in the auction process thrice and completed the tenure of three years peacefully. In the past, the petitioner was attacked by notorious men and influential persons in the auction. Therefore, he filed a writ petition in W.P.No.15405 of 2013 praying for police protection and this Court by order dated 10.06.2013 directed the police to give adequate protection while opening the bids at the temple premises. This year, the temple published the auction Notification on 11.05.2015 and the petitioner also submitted his bid for the auction to be held on 27.05.2015.

3. Taking into consideration the past experience, the petitioner gave a representation before the second and third respondents seeking protection during the auction process. Further in the affidavit filed in support of the petition, the petitioner has stated that it would be highly impossible for him to participate in the auction process without adequate police protection.

4. Mr.P.Gopalan, learned counsel, who took notice for the first respondent-temple submitted that in view of the untoward incidents happened in the past, the petitioner could be granted sufficient police protection.

5. Mr.R.Ravichandran, learned Additional Government Pleader, who took notice on behalf of the respondents 2 and 3 submitted that the respondents 2 and 3 will abide by the orders to be passed by this Court.

6. Taking into consideration the case of the petitioner and also the submission made on either side, the respondents 2 and 3 are directed to provide adequate police protection/security to the petitioner at the time of opening the bids in the auction to be held at Arulmigu Subramaniya Swamy Thirukoil, Tiruttani, Tiruvallur District on 27.05.2015. It is further directed that the respondents 2 and 3 shall maintain law and order at the time of auction on 27.05.2015.

7. With this observation, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

vj2

Sd/-
Vacation Officer

//True Copy//

Sub-Assistant Registrar

To

1. The Joint Commissioner/Executive Officer
Arulmigu Subramaniya Swamy Thirukkoil
Tiruttani, Tiruvallur District.

2. The Superintendent of Police
Tiruttani, Tiruvallur District.

3. The Deputy Superintendent of Police
Tiruttani, Tiruvallur District.

+ 1 cc to Mr.R.Vivekananthan, Advocate SR 25459

+ 1 cc to Mr.P.Gopalan, Advocate sR 25337

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prk25/5

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