

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2015

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.16498 of 2015

N.Sarangarajan

... Petitioner

Vs.

- 1 The Superintendent of Police
Ariyalur Ariyalur District.
- 2 The Inspector of Police
Udayarpallayam Police Station Ariyalur
District.
- 3 The Sub Inspector of Police
Udayarpallayam Police Station Ariyalur
District. ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the 3rd respondent in his proceedings No.Nil dated 04.06.2015 and quash the same and direct the respondents to permit the petitioner to conduct an entertainment music and dance programme on 29.06.2015 for the annual Kalliammankoil Temple, Paruingal Village Udaiyarpallayam Taluk, Ariyalur District.

For Petitioner : Mr.P.Arumugarajan

For Respondents: Mr.N.Roofus Abraham

Government Advocate

O R D E R

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

2.The petitioner claims to be the "Periya Nattamai" of the Peruningal Village Udaiyarpallayam Taluk, Ariyalur District. He submitted the application dated 04.06.2015 praying for appropriate permission to conduct cultural programme which includes cultural music and dance programme in connection with the Temple festival of Kalliammankoil Temple, Peruningal Village Udaiyarpallayam Taluk, Ariyalur District vide application dated 04.06.2015 and it was rejected by the third respondent on 04.06.2015 in pursuant to the direction of the superior officers and challenging the same, the petitioner came forward to file this writ petition.

3.Learned counsel appearing for the petitioner drawn the attention of this Court to the application dated 04.06.2015 and would submit that even in the application it has been stated that in the event of permission being granted, there will not be any law and order problem. No vulgarity or obscenity will be there and hence there will be no impediment on the part of the respondents 2 and 3 to grant permission subject to conditions and prays for appropriate orders.

4.Per contra, Mr.N.Roofus Abraham, learned Government Advocate who accepts notice on behalf of the respondents would submit that based on the directions from the superior officials, the application came to be rejected.

5.This Court heard the rival submissions of both sides and is of the view that the impugned order warrants interference. Admittedly, neither the second respondent nor the third respondent has taken into consideration the undertaking given by the petitioner in the application dated 04.06.2015 and the duty is cast upon them to take their own decision.

6.In the result, the writ petition is partly allowed and the impugned order dated 04.06.2015 is set aside and the matter is once again remanded back to the respondents 2 and 3 for fresh consideration of the application submitted by the petitioner and they shall take the decision in accordance with law on or before 25.06.2015 and communicate the decision taken, to the petitioner. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1 The Superintendent of Police
Ariyalur Ariyalur District.
- 2 The Inspector of Police
Udayarpallayam Police Station Ariyalur
District.
- 3 The Sub Inspector of Police
Udayarpalayam Police Station Ariyalur
District.

+1cc to Mr.P.Arumugarajan, Advocate, S.R.No.28557
+1cc to the Government Pleader, S.R.No.28972

W.P.No.16498 of 2015

SKV(CO)
EU(22/06/2015)