

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Writ Petition No.29363 of 2015

M.Madhu

... Petitioner

Vs

The Inspector of Police,
Uttagarai Police Station,
Krishnagiri District

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to consider the petitioner's request dated 14.09.2015 and permit him to adorn the Hindu God Vinayagar Mud Idol for five days at Arasa Maram Street from 17.09.2015 to 21.09.2015 without any disturbance or hindrance to public and taken to the river Kaveri on 21.09.2015 as per custom.

For Petitioner : Mr. V.Vijayakumar
For Respondent : Mr. R.A.S.Senthilvel, AGP.,
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O R D E R

Mr.R.A.S.Senthilvel, learned Additional Government Pleader, takes notice for the respondent. By consent of the learned counsel for both sides, the writ petition is taken up for final disposal at the admission stage itself.

2. Seeking permission to conduct Ganesha Chathurthi festival at Arasa Maram Street for five days starting from 17.09.2015, the present writ petition has been filed.

3. Heard the learned counsel for both sides.

4. The learned Additional Government Pleader, on instructions, submitted that there is a Church nearby, situated within 100 mts of the place, wherein the permission has been sought for by the petitioner to adorn the Mud Idol of Lord Ganesh. It is further submitted that inspite of five days, three days permission may be considered by the respondent, subject to other conditions that may be imposed.

5. The learned counsel for the petitioner in reply submitted that the petitioner or devotees will not cause any hindrance to the public and what the petitioner wants is to conduct the festival without disturbance to others.

6. This Court has carefully considered the submissions made by the learned counsel for both sides and perused the materials available on record.

7. The mere existence of a church cannot be the ground to deny the permission to conduct the Ganesha Chaturthi festival. However, it is for the respondent to regulate the procession, routes and timings, etc., Accordingly, the respondent is hereby directed to give permission to the petitioner to conduct Ganesha Chaturthi Festival for a period of four days starting from 17.09.2015 to 20.09.2015, subject to the conditions that can be imposed, in the light of the observations made above. This writ petition is disposed of accordingly. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To
The Inspector of Police,
Uttagarai Police Station,
Krishnagiri District.

1 cc to Mr.V.Vijayakumar , Advocate Sr.No.50663

सत्यमेव जयते

W.P.No.29363 of 2015

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