

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2015

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

W.P.No.31972 of 2015

M.G.Vadivel

...Petitioner

Vs.

1. The District Collector,
Kanchipuram,
Kanchipuram District.
2. The Superintendent of Police,
Kanchipuram,
Kanchipuram District.
3. The Deputy Superintendent of Police,
Kanchipuram,
Kanchipuram District.
4. The Inspector of Police,
Kanchi Taluk Police Station,
Kanchipuram.

...Respondents

Writ Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of mandamus directing the second respondent to permit the petitioner for conducting the Navarathri festival and programmes from 12.10.2015 to 24.10.2015 at Arulmigu Sri Padavettamman Thirukovil, Iyyappa Nagar, Vandavasi Road, Kanchipuram between the time of 7 p.m. to 10.30 p.m. and harmony in the village as per the practice and custom that has been in vogue for many decades.

For Petitioner : Mr.M.Senthamizh Selvan
For Respondents : Mr.R.A.S. Senthilvel,
Addl. Govt. Pleader

ORDER

Seeking a direction to the second respondent to permit the petitioner to conduct Navarathri festival from 12.10.2015 to 24.10.2015, the present writ petition has been filed.

2.Learned counsel appearing for the petitioner submitted that the festival is being conducted for number of years and for the reasons best known to the respondents, for this year, no permission has been granted so far, despite the representation made in this regard.

3.Learned Additional Government Pleader, on instructions, submitted that the road leading to the temple is very narrow. It is the connecting road to several villages and there is a open ditch nearby. He has further submitted that if permission is given, it will lead to traffic congestion and it would be difficult for the general public and the Government officials to reach their destination. The learned Additional Government Pleader also submitted that there is likelihood of children falling into the ditch and therefore, permission was not granted.

4.On perusal of the records, it is seen that the permission is not denied for the festival but only for the cultural programme for the reasons stated above by the learned Additional Government Pleader. Considering the same, especially taking note of the fact that such programmes were conducted earlier, this Court directs the second respondent to give permission to the petitioner for conducting Navarathri festival from 9.00 p.m. to 12.00 p.m., for a period of three days i.e., from 22.10.2015 to 24.10.2015. This order is passed since the apprehension or difficulty regarding the general public and Government officials reaching the destination will not be there after 9.00 pm. It is well open to the second respondent to impose appropriate conditions including the nature of stage and the manner in which the festival has to be conducted.

5.The writ petition stands disposed of on the above terms. No costs.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

mmi

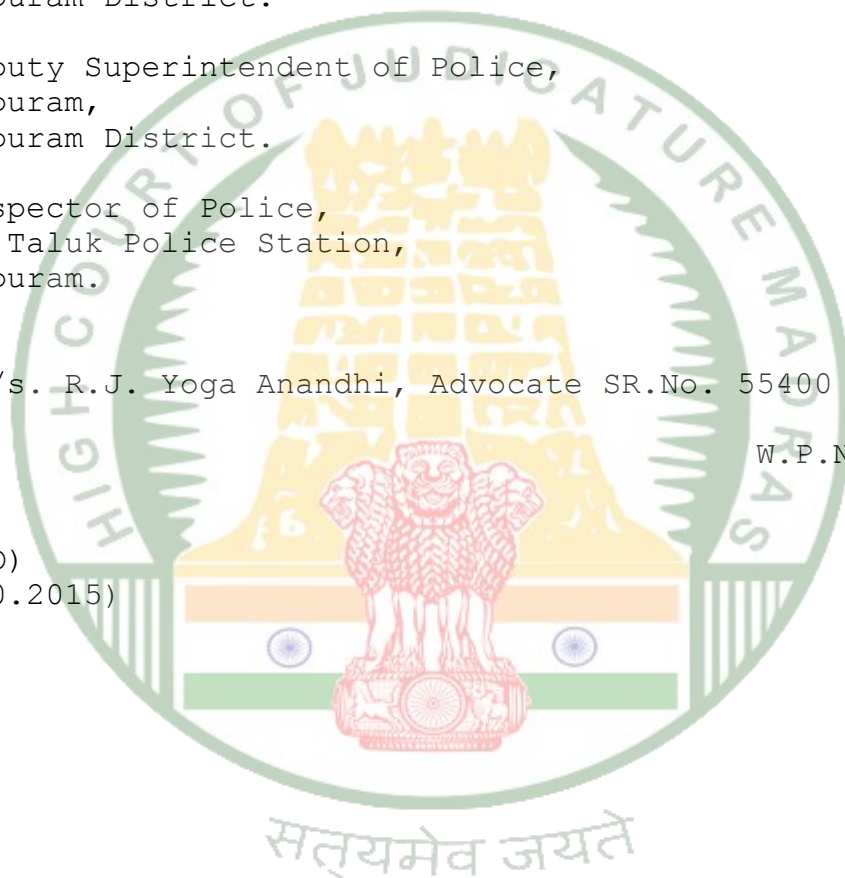
To

1. The District Collector,
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2. The Superintendent of Police,
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Kanchipuram District.
3. The Deputy Superintendent of Police,
Kanchipuram,
Kanchipuram District.
4. The Inspector of Police,
Kanchi Taluk Police Station,
Kanchipuram.

1 CC to M/s. R.J. Yoga Anandhi, Advocate SR.No. 55400

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PSI (09.10.2015)



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