



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 02.02.2015
CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition (MD)No.1223 of 2015

Nalliah

... Petitioner

Vs.

The Sub Inspector of Police,
Achanpudur Police Station,
Tirunelveli District.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned Order passed by the respondent in his Proceedings Nil dated 27.01.2015 and quash the same as illegal consequently direct the respondent to permit the petitioner to use Chenda Melam during the temple festival of Arulmighu Sri Muppudathi Amman Temple Vadakarai Village Shengottai Taluk Tirunelveli District on 03.02.2015 between 09.00 A.M. to 12.00 P.M. and 05.00 P.M. to 08.00 P.M.

For Petitioner

: Mr.D.Venkatesh

For Respondents

: Mr.R.Karthikeyan,
Additional Government Pleader.

O R D E R

Mr.R.Karthikeyan, learned Additional Government Pleader, takes notice for the respondents. By consent, the Writ Petition is taken up for disposal at the stage of admission itself.

2. Challenge in this Writ Petition is to the order dated 21.01.2015, rejecting the request of the petitioner to use Chenda Melam during the temple festival of Arulmighu Sri Muppudathi Amman Temple, Vadakarai Village, Shengottai Taluk, Tirunelveli District and imposing certain other conditions to conduct the temple festival.

3. Today, when the Writ Petition is taken up for admission, the learned counsel appearing for the petitioner would submit that the conditions imposed by the second respondent in the impugned order will be duly complied with, except the condition No.7, restricting not to use "Chenda Melam". However, the learned counsel appearing for the petitioner has given an undertaking before this Court that "Chenda Melam" will be performed only in front of the temple and if there is any violation found, either in the form of dancing or song, the police may take appropriate action.

4. In view of the above, the Writ Petition is disposed of, modifying the condition No.7 alone to the extent that "Chenda Melam" will be performed only in front of the temple and not in the procession and if



there is any violation found, it is for the police authorities to take appropriate action and arrest such persons, who are all found dancing and proceed further in accordance with law. In all other aspects, the conditions imposed in the impugned order shall stand unaltered. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

\\True copy\\

Sub Assistant Registrar

To

The Sub Inspector of Police,
Achanpudur Police Station,
Tirunelveli District.

+1cc to MR.D.VENKATESH, ADVOCATE SR.NO.4523

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SMS

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