



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.11.2015

CORAM:

WEB COPY

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

W.P.(MD)No.18841 of 2015

Thiagarajan

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Sub Inspector of Police,
Pavoorchathiram Police Station,
Tirunelveli District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified mandamus calling for the records relating to the impugned proceedings dated 02.10.2015 of the second respondent and to quash the same, consequently directing the second respondent to grant permission and necessary protection to perform the cultural programme (ie) Innisai Katcheri programme on 10.11.2015 at 10.00 p.m in the eve of Arulmighu Sri Kalamman at Karisallur, Pethanadapatti Village, Alangulam Taluk, Tirunelveli District and to pass such further or other orders as this Court may deem fit and proper in the above facts and circumstances of the case.

For Petitioner

: Mr.S.Alagu Sundar

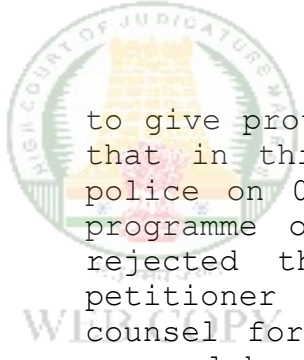
For Respondents

: Mr.D.Muruganantham,
Special Government PleaderO R D E R

This Writ Petition has been filed seeking for the issuance of a Writ of Certiorarified mandamus to quash the impugned proceedings dated 02.10.2015 of the second respondent and for consequential direction to the the second respondent to grant permission and necessary protection to perform the cultural programme (ie) Innisai Katcheri programme on 10.11.2015 at 10.00 p.m in the eve of Arulmighu Sri Kalamman Kovil at Karisallur, Pethanadapatti Village, Alangulam Taluk, Tirunelveli District.

2.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

3.The learned counsel for the petitioner would submit that the villagers jointly decided to conduct 'Thiruvizha' in Arulmighu Sri Kalamman Kovil at Karisallur, Pethanadarpatti Village, Alangulam Taluk, Tirunelveli District on 10.11.2015 and that they are going to Innisai Katcheri programme on that day and that the respondents may be directed



to give protection to perform cultural programme. He would further submit that in this connection, a representation was given to the respondent police on 02.10.2015 with a request to grant permission to conduct the programme on the above said date, however, the respondent Police has rejected the petitioner's request on the same day and hence, the petitioner is before this Court with this Writ Petition. The learned counsel for the petitioner further submitted that as the said festival was celebrated in a peaceful manner by the villagers in the last year, no untoward incident will take place in this year also.

4. The learned Special Government Pleader would submit that the respondent police has passed the rejection order by stating that if permission is granted to conduct Adal Padal Programme, it will create communal problem in the village. He would further submit that if permission is granted for conducting the cultural programme, the anti social elements will make use of the same to create law and problem in the locality.

5. This Court considered the submission made on either side and perused the materials available on record.

6. The anticipation of the respondent police cannot be ignored, as they are only answerable, if any untoward incident takes place in their jurisdiction.

7. In view of the submission made by the learned Special Government Pleader, this Court is not inclined to grant permission for conducting Adal Padal programme. Therefore, the rejection order needs no interference by this Court. Accordingly, this Writ Petition is dismissed.

Sd/-

Assistant Registrar(co)

/True Copy/

Sub Assistant Registrar.

To,

1.The Superintendent of Police,Tirunelveli District,Tirunelveli.

2.The Sub Inspector of Police,Pavoorchathiram Police Station,
Tirunelveli District.

+1CC to Mr.S.Alagusundar, Advocate, SR.No. 64979

+1CC to The Special Government Pleader, SR.No. 64781

W.P.(MD) No.18841 of 2015
03.11.2015

AM/06.11.2015/AAL.MPA/SAR-II/2P/5C