



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2015

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

W.P.(MD)No.20004 of 2015

WEB COPY

R.Karthigaichamy

... Petitioner

Vs.

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

2.The Inspector of Police,
Ilayangudi Police Station,
Sivagangai 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 impugned order passed by the second respondent and quash the same and directing the respondents to grant permission and necessary protection to perform the village cultural programme on 05.11.2015 at 7.00 p.m to 10.00 p.m in the eve of Pasumpon U.Muthuramalinga Thevar 108th Guru Poojai Vizha at Melayur Village, Ilayangudi Taluk, Sivagangai District .

For Petitioner : Mr.V.Manikandan
For Respondents : Mr.D.Muruganantham,
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for the issuance of a Writ of Certiorarified mandamus to quash the impugned order passed by the second respondent and for consequential direction to the respondents to grant permission and necessary protection to perform the village cultural programme on 05.11.2015 at 7.00 p.m to 10.00 p.m in the eve of Pasumpon U.Muthuramalinga Thevar 108th Guru Poojai Vizha at Melayur Village, Ilayangudi Taluk, Sivagangai District.

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

3.The learned counsel for the petitioner would submit that the villagers jointly decided to conduct '108th Guru Poojai Vizha' at Melayur Village, Ilayangudi Taluk, Sivagangai District in the eve of Pasumpon U.Muthuramalinga Thevar on 05.11.2015 at 7.00 p.m to 10.00 p.m and that they are going to perform cultural programme 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 01.11.2015 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 Additional Government Pleader would submit that the respondent police has passed the rejection order by stating that already there was dispute between two parties and if permission is granted, it will create law and order problem. 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 taken place in their jurisdiction.

7. In view of the submission made by the learned Additional 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. No costs.

Sd/-

Assistant Registrar (Crl.Side)

/True Copy/

Sub-Assistant Registrar

To,

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

2.The Inspector of Police,
Ilayangudi Police Station, Sivagangai District.

+One cc to The Special Government Pleader, SR.No.65015

CM

RL/4c/NGM/SS/19/11/2015

W.P. (MD) No.20004 of 2015