



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 04.11.2015**

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.20015 of 2015

N.S.K.K.R.Arunkumar

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Theni District, Theni.

2.The Inspector of Police,
Gudalur Circle Police Station,
Gudalur,
Theni 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 pertaining to the rejection order passed by the second respondent dated 01.11.2015 and to quash the same and consequently direct the respondents to give permission and protection to perform the cultural programme of Adal Padal (Kalai Nigaltchi) on 11.11.2015 in connection with the "Festival" of Arulmighu Merku Thammanampatti Muthalamman Kovil at Merku Thammanampatti Village, Gudalur, Theni District and 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.M.Kannan
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 rejection order passed by the second respondent dated 01.11.2015 and for consequential direction to the respondents to give permission and protection to perform the cultural programme of Adal Padal (Kalai Nigaltchi) on 11.11.2015 in connection with the "Festival" of Arulmighu Merku Thammanampatti Muthalamman Kovil at Merku Thammanampatti Village, Gudalur, Theni 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 festival of Arulmighu Merku Thammanampatti Muthalamman Kovil at Merku Thammanampatti Village, Gudalur, Theni District had been performed every in a peaceful manner and this year the said festival is to be celebrated on 10.11.2015 and 11.11.2015 and the festival committee have arranged for a cultural event Adal Padal Dance Programme (Kalai Nigaltchi) on 11.11.2015 at about 6.00 p.m and there will not be any indecency in the programme.

4. He would further submit that in this connection, a representation was given to the second respondent police on 01.11.2015 with a request to grant permission to conduct the programme on the above said date, however, the same was rejected by the second respondent on the very same day by a non speaking order 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 is celebrated in a peaceful manner by the villagers, there will be no untoward incident by the people of the village and hence, he prays for setting aside the impugned order.

5. Having considered the fact that the second respondent has passed the rejection order without mentioning any reason, this Court is inclined to set aside the impugned order and the same is set aside. The matter is remitted back to the second respondent/appropriate authority to pass a speaking order. The second respondent police is directed to pass a speaking order on or before 09.11.2015.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar

CM

To,

1. The Superintendent of Police,
Office of the Superintendent of Police,
Theni District, Theni.

2. The Inspector of Police,
Gudalur Circle Police Station,
Gudalur, Theni District.

+1cc to Mr. M. Kannan, Advocate Sr No. 64907

W.P. (MD) N o. 20015 of 2015
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