



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

CORAM:

**THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN
W.P. (MD) No.20021 of 2015**

WEB COPY

V.Sermadurai

... Petitioner

Vs.

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

2.The Sub Inspector of Police,
Pavurchathiram 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 mandamus directing the respondents to grant permission and protection for Adal Padal program in "Kodaivizha" scheduled to be held on 09.11.2015 at Arulmigu Sri Vadakasiamman Thirukovil at Melkrishnapuri, Pethanadarpatti, Alangulam Taluk, Tirunelveli District and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case.

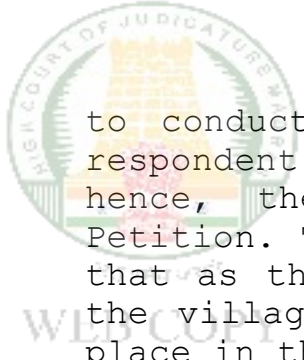
For Petitioner	: Mr.R.Kathic Rajan
For Respondents	: Mr.D.Muruganantham, Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for the issuance of a Writ of mandamus directing the respondents to grant permission and protection for Adal Padal program in "Kodaivizha" scheduled to be held on 09.11.2015 at Arulmigu Sri Vadakasiamman Thirukovil at Melkrishnapuri, Pethanadarpatti, 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 'Kodaivizha' in Srivadakasiamman Thirukovil at Melakrishnapuri, Pethanadarpatti, Alagangulam Taluk, Tirunelveli District from 09.11.2015 to 11.11.2015 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 27.10.2015 with a request to grant permission



to conduct the programme on the above said date, however, the respondent Police has not considered the said representation 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 not considered the representation as 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 taken 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. Accordingly, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar.

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To,

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

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

+1cc to Special Government Pleader Sr No.65016

W.P. (MD) No.20021 of 2015
04.11.2015

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