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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.12.2015

CORAM:

THE HONOURABLE MR.JUSTICE **S.VAIDYANATHAN**

**W.P(MD)No.22809 of 2015
and M.P(MD)No.1 of 2015**

P.T.Muthuvel

: Petitioner

Vs.

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

2.The Sub Inspector of Police,
Veerapandi Police Station, Theni District

3.The Secretary to Government,
Hindu Religious and Charitable
Endowments Department,
Fort St.George, Chennai - 9.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the impugned order dated 11.12.2015 passed by the 2nd respondent and quash the same and consequently directing the respondents to grant permission and necessary protection to perform the Village cultural programme I.e., Paratha natiyam and Gramia Adal Padal on 20.12.2015 and 21.12.2015 at 07.00 p.m., to 10.30 p.m., in the eve of Arulmighu Sri Gopinatha Swamy Thirukovil Ther Thiruvizha at Kottoor Village, Theni Taluk and District.

For Petitioner : Mr.V.Manikandan

For Respondents : Mr.D.Muruganandam,
Addl. Government Pleader

ORDER

The prayer in the Writ Petition is for a Writ of Certiorarified Mandamus, calling for the impugned order dated 11.12.2015 passed by the 2nd respondent and quash the same and consequently directing the respondents to grant permission and necessary protection to perform the Village cultural programme I.e., Paratha natiyam and Gramia Adal Padal on 20.12.2015 and 21.12.2015 at 07.00 p.m., to 10.30 p.m., in the eve of Arulmighu Sri Gopinatha Swamy Thirukovil Ther Thiruvizha at Kottoor Village, Theni Taluk and District.

2.By consent, the writ petition itself is taken up for final disposal.

<https://hcservices.ecourts.gov.in/hcservices> The learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.



4.The learned counsel for the petitioner would submit that the villagers jointly decided to conduct cultural programme such as Parathanatiyam and Gramia Adal Padal on 20.12.2015 and 21.12.2015 at 07.00 p.m. Ther Thiruvizha at Kottoor Village, Theni Taluk and District and that the respondents may be directed to give protection to perform the said cultural programme. He would further submit that in this connection, a representation was given to the respondent police with a request to grant permission to conduct the programme on the above said date, however, the respondent Police has rejected the same vide impugned order dated 11.12.2015 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.

5.The Additional Government Pleader would submit that the respondent police has considered the representation and rejected the same 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.

6.This Court considered the submissions made on either side and perused the materials available on record.

7.The anticipation of the respondent police cannot be ignored, as they are only answerable, if any untoward incident takes place in their jurisdiction and therefore, the impugned order has been rightly passed by the respondent, rejecting the request of the petitioner to conduct the programme.

8.In view of the submission made by the learned Additional Government Pleader, this Court is not inclined to grant permission for conducting the said programme. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police, Theni District, Theni.
- 2.The Sub Inspector of Police, Veerapandi Police Station, Theni Dist.
- 3.The Secretary to Government, Hindu Religious and Charitable Endowments Department, Fort St.George, Chennai - 9.

+1cc to The Special Government Pleader SR.No.75874

akm/11.01.2016/2p-5c/AAL/MPA