

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2016

CORAM:

THE HON 'BLE MR.JUSTICE M.SATHYANARAYANAN

Writ Petition No.25250 of 2016

M.Dhanikachalam

... Petitioner

Versus

The Inspector of Police,
Pochampalli Police Station,
Pochampalli

.. Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus, calling for the records of the order of the respondent, dated 13.07.2016, quash the same and consequently, direct the respondent to give permission to the petitioner to conduct music orchestra to be held on 27.07.2016 at Thiru Gangai Kumaran Temple, Pokkampatti Village, Pochampalli Taluk, Krishnagiri District, and to give police protection to the same.

For Petitioner : Mr. C.Mariappan

For Respondent : Mr. R.Govindasamy

O R D E R

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

2. The petitioner claims to be the Dharmakartha of Thiru Gangai Kumaran Temple, Pokkampatti Village, Pochampalli Taluk, Krishnagiri District, and in connection with the festival to be conducted during the Tamil Month of Aadi, submitted an application dated 13.07.2016 to the respondent praying for necessary permission to conduct the cultural event, which includes songs and dance, in connection with the said temple festival, and it was rejected, on the same day. Challenging the legality of the same, the petitioner came forward to file this writ petition.

3. The learned counsel appearing for the petitioner would submit that, in the event of permission being granted, there will not be any law and order or communal problems and that no vulgarity or obscenity will be there and prays for appropriate

4. Per contra, Mr. R.Govindasamy, learned Special Government Pleader, appearing for the respondent would contend that since there was an apprehension of law and order problem, the application was rightly rejected by the respondent.

5. This Court has considered the rival submissions made by the learned counsel for both sides and perused the materials placed on record.

6. A perusal of the impugned order passed by the Sub-Inspector of Police, attached to Pochampalli, Krishnagiri District, would disclose that no reasons, whatsoever, have been assigned, though it the submission of the learned Special Government Pleader that on account of the law and order problem, such an order came to be passed.

7. Since no reasons have been furnished for rejection of the application submitted by the petitioner, this Court is of the view that the impugned order warrants interference. Hence, this writ petition is partly allowed and the impugned order dated 13.07.2016 is set-aside and the petitioner is at liberty to approach the respondent for conducting the cultural event, in connection with the temple festival, on future dates, by way of an application, and as and when the said application is received by the respondent, the said official shall dispose of the same in accordance with law and as expeditiously as possible and not later than one week from the date of receipt of the said application. It is also made clear that this Court did not venture into the merits of the claim projected by the petitioner in this writ petition. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

srk

To

1. The Inspector of Police, Pochampalli Police Station,
Pochampalli

1 cc to Mr.C.Mariappan, Advocate, sr.43953

1 cc to Government Pleader, sr.43923

W.P.No.25250 of 2016

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