IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

W.P.No.5063 of 2016
and WMP.Nos.4409 and 4410 of 2016

V.N.Kumar @ Senkuttuvan : Petitioner

Vs.

1.The Inspector General of Police,
Puducherry, Puducherry.

2.The Superintendent of Police,
Karaikkal, Karaikkal Taluk and District.

3.The Town Circle Inspector of Police,
Karaikkal, Puducherry. : Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned rejection order of the 3rd respondent in Letter No.90/SCR/16 dated 22.1.2016 and quash the same and consequently direct the respondents to grant permission to conduct the Pournami Pooja Yagam (Masi Month) schedule to be held on 22.2.2016 and other Temple Festivals in Arulmighu Drowpadhai Amman Aalayam, Kovilpathu, Karaikkal.

For Petitioner :Mr.V.Kasinatha Bharathi

For Respondents :Mr.M.R.Thangavel
Additional Public Prosecutor (Pondy)

O R D E R

The present Writ Petition has been filed for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned rejection order of the 3rd respondent in Letter No.90/SCR/16, dated 22.01.2016, quash the same and consequently direct the respondents to grant permission to conduct the Pournami Pooja Yagam (Masi Month) schedule to be held on 22.2.2016 and other Temple Festivals in Arulmighu Drowpadhai Amman Aalayam, Kovilpathu, Karaikkal.

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2.The learned counsel for the petitioner submitted that the petitioner has given a requisition on 07.01.2016 seeking permission to conduct Pournami Pooja Yagam in the month of Thai, scheduled to be held on 21.01.2016 and the same has been rejected by the respondent. Against which the present petition has been filed.

3.At this juncture, the learned Additional Public Prosecutor submitted that the date of function has been over. Hence, this Writ Petition has become infructuous. He further submitted that if he gives a fresh representation, seeking permission to conduct Pournami Pooja Yagam (Masi month), scheduled to be held on 22.02.2016 and other temple festivals in Arulmighu Drowpadhai Amman Aalayam, Kovilpathy, Karaikkal, that can be considered by the respondent police.

4.Considering the rival submission made on both sides, and on perusal of the typedset of papers, the petitioner, as a care taker of Arulmighu Drowpadhai Amman Aalayam, Karaikkal, has given a representation dated 07.01.2016, seeking permission to conduct Pournami Pooja Yagam in the month of Thai, scheduled to be held on 21.01.2016 and for police protection, which was rejected by the respondents, by order dated 22.01.2016 and further sought for permission, directing the 3rd respondent to grant permission to conduct Pournami Pooja Yagam (Masi month), schedule to be held on 22.02.2016. In these circumstances, this Writ Petition is maintainable. The date of function has been over. No purpose will be served to set aside the impugned order.

5.Insofar as the 2nd prayer is concerned, the prayer sought for, directing the respondent police to conduct Pournami Pooja Yagam (Masi Month) scheduled to be held on 22.2.2016 and other Temple Festivals in Arulmighu Drowpadhai Amman Aalayam, Kovilpathu, Karaikkal, the petitioner is directed to give a fresh representation to the 3rd respondent. On such representation given by the petitioner afresh, the 3rd respondent is directed to consider the same and pass appropriate orders in accordance with law, within a period of one week, from the date of receipt of fresh representation.

Accordingly, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petitions are closed.

mps

-s/d-
Assistant Registrar(CS-IV)

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Sub-Assistant Registrar

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To

1.The Inspector General of Police,
  Puducherry, Puducherry.

2.The Superintendent of Police,
  Karaikkal, Karaikkal Taluk and District.

3.The Town Circle Inspector of Police,
  Karaikkal,Puducherry.

+ 1 cc to M/s.V.Kasinathabharathi, Advocate SR 9498

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