



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.07.2016

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD) No.12364 of 2016

Perumbadaiyan

... Petitioner

-vs-

1. The Superintendent of Police,
Tuticorin District,
Tuticorin.
2. The Deputy Superintendent of Police,
Srivaikundam, Tuticorin District.
3. The Inspector of Police,
Seidunganallur Police Station,
Tuticorin District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the Respondents to grant appropriate permission and adequate police protection for conducting the Kodai Festival in Arulmighu Karaiyadi Sudalai Madasamy Pattani Samy Keela Kovil Sempurapuri Kulakkarai Ramanujam Pudhur Srivaikundam Taluk Tuticorin District on 18.07.2016, 19.07.2016 and 20.07.2016 and consequently direct the respondents to permit the petitioner to go to the village grave yard on 19.07.2016 at about 12.00noon and 12.00 midnight based on the petitioner's representation dated 07.06.2016.

For Petitioner : Mr.S.Angappan
For Respondents : Mr.D.Muruganandam,
Addl. Govt. Pleader

O R D E R

The writ petition has been filed, seeking a direction to the Respondents to grant appropriate permission and adequate police protection for conducting the Kodai Festival in Arulmighu Karaiyadi Sudalai Madasamy Pattani Samy Keela Kovil, Sempurapuri Kulakkarai, Ramanujam Pudhur, Srivaikundam Taluk, Tuticorin District on 18.07.2016, 19.07.2016 and 20.07.2016 and consequently direct the respondents to permit the petitioner to go to the village grave yard on 19.07.2016 at about 12.00noon and 12.00 midnight based on the petitioner's representation dated 07.06.2016.



taken up for final disposal.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4. The learned counsel appearing for the petitioner would submit that the programme is being conducted by the villagers regularly in order to promote harmony during the above said festival period. He would further submit that in the representation dated 07.06.2016 given by the petitioner, no order was passed by the respondents so far.

5. The learned Additional Government Pleader appearing for the respondents would submit that there is a likelihood of law and problem in the area in the event of permission being granted for conducting the festival.

6. Under such circumstances, the apprehension of the respondents cannot be easily brushed aside, as the responsibility of maintaining law and order problem rests only with the respondent police and it is for the respondent police to assess the present situation prevalent in that area. Therefore, the 2nd respondent police is directed to consider the representation of the petitioner dated 07.06.2016 and pass orders on the same immediately in the light of the previous orders of this Court dated 18.07.2013 passed in W.P.(MD) Nos.10407 and 11376 of 2013.

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

Sd/
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar.

To:

1. The Superintendent of Police,
Tuticorin District,
Tuticorin.
2. The Deputy Superintendent of Police,
Srivaikundam, Tuticorin District.
3. The Inspector of Police,
Seidunganallur Police Station,
Tuticorin District.

+1CC to M/S.Jeyakarthik, Advocate, SR.No. 37126

W.P(MD)No.12364 of 2016
15.07.2016