



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P (MD) No.12953 of 2016

M.Mohan

... Petitioner

-vs-

The Inspector of Police,
Sampathividuthi Police Station,
Sampathividuthi,
Pudukottai District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent to give permission to the Adal Padal Programme in the event of Festival of Samtpathividuthi Sree Perumal Kovil at Sampathividuthi & Post Pudukottai Taluk & District on 02.08.2016.

For Petitioner : Mr.K.Veilmuthu

For Respondent : Mr.D.Muruganandam
Addl. Govt. Pleader**O R D E R**

This writ petition is filed for issuance of a Writ of Mandamus, directing the respondent to grant permission and necessary police protection to perform Adal Padal Programme in the event of festival of Samtpathividuthi Sree Perumal Kovil at Sampathividuthi & Post Pudukottai Taluk & District on 02.08.2016.

2.Mr.D.Muruganandam, learned Additional Government Pleader, takes notice for the respondent. By consent, the writ petition itself is taken up for final disposal.

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

4. The learned counsel appearing for the petitioner would ~~senior counsel appearing for the petitioner would~~ state that the programme is being conducted by the villagers regularly in order to promote harmony during the above said festival period; that a representation was given to the respondent



on 19.07.2016, but, however, the same was not considered by the respondent so far and hence, the petitioner is before this Court with this writ petition. The learned counsel appearing for the petitioner would further submit that as the aforesaid festival is celebrated in a peaceful manner by the villagers, there will be no untoward incident on account of this celebration.

5. The learned Additional Government Pleader appearing for the respondent, on instructions, would submit that on an earlier occasion, there was an untoward incident and in respect of which, four cases have been registered in Crime Nos.29 and 46 of 2016 for the offence under Section 302 IPC and Crime Nos.77 & 78 of 2016 for the offence under Section 174 Cr.P.C., He would further submit that because of the pendency of these cases, there is likelihood of law and order problem and therefore the authorities did not grant permission.

6.Learned counsel for the petitioner submitted that the occurrence relating to which cases were registered took place not in near future, but some time back and therefore, subject to the undertaking that the petitioner would ensure that no untoward incident would take place, the respondent may consider the representation.

7.Under such circumstances, the respondent police is directed to consider the representation of the petitioner dated 19.07.2016 and pass suitable orders thereon on or before 25.07.2016 on merits and in accordance with law.

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

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar (CS)

To

The Inspector of Police,
Sampathividuthi Police Station,
Sampathividuthi, Pudukottai District.

+1cc to Mr.K.Veilmuthu, Advocate, Sr.No.39032

+1cc to the Special Government Pleader, Sr.No.38778

mj

JM/NGM-MP/SAR-II/22.07.2016/2P-4C