



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.07.2016

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THE HON'BLE DR.JUSTICE S.VIMALA

W.P (MD) No.13191 of 2016

Muthu Puthiyavan

... Petitioner

-vs-

The Sub Inspector of Police,
Pavoorchathiram Police Station,
Tirunelveli District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the respondent in his proceedings dated 24.07.2016 and quash the same as illegal consequently directing the respondent to permit the petitioner to conduct the cultural function viz., Aadal Padal during the temple festival of Sri Kottai Madasamy Temple, Thippanampatti, Tenkasi Taluk, Tirunelveli District on 30.07.2016 between 9.00 p.m. to 12.00 pm. and further direct the respondent to give police protection for the above said programme.

For Petitioner : Mr.D.Venkatesh

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

The writ petition has been filed to quash the impugned order passed by the respondent dated 24.07.2016 with the consequential direction to the respondent to grant permission to the petitioner to to conduct the cultural function viz., Aadal Padal during the temple festival of Sri Kottai Madasamy Temple, Thippanampatti, Tenkasi Taluk, Tirunelveli District on 30.07.2016 between 9.00 p.m. to 12.00 pm. and further direct the respondent to give police protection for the above said programme.

2.Mr.D.Muruganandam, learned Additional Government Pleader, takes notice for the respondent. By consent, the writ <https://hccertracemadras.gov.in/ser/life/> 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 submit 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, but, however, the same was rejected 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 would submit that the permission sought for by the petitioner has been rejected on the ground that the place, where the proposed music concert is sought to be proposed is a very narrow place, which leads to traffic congestion.

6.However, the learned counsel appearing for the petitioner would submit that change of place would be duly informed to the respondent and after getting consent from them, the performance will be conducted.

7.In view of the submission made by the learned counsel for the petitioner, the petitioner is directed to inform the alternative place to the respondent and on receipt of such information, the respondent is directed to consider the request of the petitioner and pass orders in accordance with law as expeditiously as possible.

8.The Writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar (CS)

To

The Sub Inspector of Police, Pavorchathiram Police Station,
Tirunelveli District.

+1cc to Mr.D.Venkatesh, Advocate, Sr.No.39766

+1cc to the Special Government Pleader, Sr.No.40061

mj

JM/SK-SKN/SAR-III/28.07.2016/2P-4C