



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD)No.13216 of 2016

N.Thangavel

... Petitioner

-VS-

1.The Superintendent of Police
Tirunelveli District, Tirunelveli.

2.The Deputy Superintendent of Police
Valliyoor Region, Valliyoor,
Tirunelveli District.

3.The Inspector of Police
Panagudi Police Station
Tirunelveli District

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the respondents to grant permission to the petitioner to perform orchestral programme (Innisai Katcheri) on 12.08.2016 during the night celebration of Kodai festival at about 12 O clock to Arulmigu Sri Sudalai Andavar Kovil at Kalanthapanai Panagudi Via Tirunelveli District forthwith and also provide adequate police protection during the events to the general public.

For Petitioner : Mr.S.Palanivelayutham

For Respondents : Mr.D.Muruganandham
Addl. Govt. Pleader

O R D E R

The writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to grant permission to the petitioner to perform orchestral programme (Innisai Katcheri) on 12.08.2016 during the night celebration of Kodai festival at about 12 O clock to Arulmigu Sri Sudalai Andavar Kovil at Kalanthapanai Panagudi Via Tirunelveli District forthwith and also provide adequate police protection during the events to the general public.



2.Mr.D.Muruganandham, learned Additional Government Pleader, takes notice for the respondents. 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 respondents.

4.The learned counsel appearing for the petitioner would submit that the festival 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 3rd respondent, but, however, the same was not considered by the 3rd 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 respondents, on instructions, would submit that already there are two cases pending under Sections 107 Cr.P.C. and 160 Cr.P.C. respectively due to rival group dispute and therefore, the respondents may be directed to consider the representation of the petitioner.

6.In view of the submission made by the learned Additional Government Pleader, the Writ Petition is disposed of with a direction to the 3rd respondent to consider the representation of the petitioner dated 23.07.2016 and pass orders on merits and in accordance with law as expeditiously as possible, as the cultural event is scheduled to be conducted on 12.08.2016. No costs.

sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police
Tirunelveli District, Tirunelveli.

2.The Deputy Superintendent of Police
Valliyoor Region, Valliyoor,

Tirunelveli District.



3.The Inspector of Police
Panagudi Police Station
Tirunelveli District

+1 cc to MR.S.PALANIVELAYUTHAM, Advocate Sr.No.41095

+1 cc to M/S. SPECIAL GOVERNMENT PLEADER SR.NO.41203

RR

SMA/GSV-PM/SAR-I/04/08/2016 :3P/6C

W.P (MD) No.13216 of 2016

01.08.2016