



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2016

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD) No.13874 of 2016

S.Skanda Raja

... Petitioner

-Vs-

1.The Superintendent of Police,
Thoothukudi District, Thoothukudi.

2.The Inspector of Police,
Nazareth Police Station,
Nazareth, Thoothukudi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus, praying to call for the records relating to the impugned proceedings in Mike 80/SK.3.PS116, dated 23.07.2016 of the 2nd respondent and to quash the same consequently directing the respondents to grant permission and necessary protection to perform the cultural programme (ie.,) Adal Padal on 30.08.2016 at 7.00 p.m. in the eve of Arulmighu Sri Ponnambalam Vinayakar and Sri Muthumalai Amman Thirukovil, at Katchanavilai, Thoothukudi District.

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

O R D E R

The writ petition has been filed praying to quash the impugned order passed by the second respondent dated 23.07.2016 with a consequential direction to the second respondent to provide police protection and permission to the cultural programme, scheduled to be held on 30.08.2016.

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

<https://hcservices.courts.gov.in/hcservices> 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 the representation given to the second respondent was rejected vide the impugned order, dated 23.07.2016.

5. The learned Additional Government Pleader appearing for the respondents would submit that as a case has been registered during such programme and considering the law and problem prevalent in the area, the permission for conducting the programme was rejected.

6. The apprehension of the second respondent Police, who are expected to maintain the law and order situation, cannot be brushed aside. However, the reasons alleged may not exist as of now and as the situation is liable to change, the petitioner is permitted to make a fresh representation.

7. Accordingly, the petitioner is directed to make a fresh representation to the second respondent in person on 10.08.2016 and on receipt of such representation, the second respondent is directed to consider the same and pass appropriate orders on merits and as per law immediately, as the function is stated to be scheduled on 30.08.2016.

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

Sd/
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar.

To:

1. The Superintendent of Police,
Thoothukudi District, Thoothukudi.

2. The Inspector of Police,
Nazareth Police Station,
Nazareth, Thoothukudi District.

+1CC to M/S.J.Ashok, Advocate, SR.No. 41463

+1CC to the Special Government Pleader, SR.No. 41545

W.P(MD) No.13874 of 2016

03.08.2016