



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2016

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD) No.15025 of 2016

Sankarapandi

... Petitioner

-vs-

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

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the respondent dated nil and quash the same as illegal and consequently direct the respondent to permit the petitioner to perform music concert on 28.08.2016 between 7.00 p.m. to 12.00 p.m. during the temple festival of Sriman Narayanasamy Temple, Kalitheerthanpatti Village, Ambasamudram Taluk, Tirunelveli District.

For Petitioner : Mr.D.Venkatesh

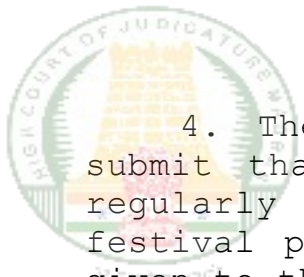
For Respondent : Mr.D.Muruganandam,
Addl. Govt. Pleader

O R D E R

The writ petition has been filed to quash the impugned order passed by the respondent dated nil with a consequential direction to the respondent to grant permission and provide police protection to conduct Music concert programme, scheduled to be held on 28.08.2016 between 7.00 p.m. to 12.00 p.m. during the temple festival of Sriman Narayanasamy Temple, Kalitheerthanpatti Village, Ambasamudram Taluk, Tirunelveli District.

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 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 respondent was rejected vide the impugned order.

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5. The learned Additional Government Pleader appearing for the respondent would submit that considering the law and problem prevalent in the area, the permission for conducting the programme was rejected.

6. A perusal of the impugned order shows that the permission sought for by the petitioner has been rejected on the ground that the entire area coming under the jurisdiction of Pappakudi Police Station limit, no permission for conducting any programme is granted. This order cannot be sustained as it is a blanket order refusing permission for particular area. However, as the situation is liable to change, this Court is of the view that the petitioner may be directed to make a fresh representation.

7. Accordingly, the petitioner is directed to make a fresh representation to the respondent in person on 19.08.2016 and on receipt of such representation, the respondent is directed to consider the same and pass appropriate orders on merits and as per law immediately, as the function is scheduled to be held on 28.08.2016.

8. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AS)

/TRUE COPY/

Sub Assistant Registrar

To:

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

+1cc to Mr.D.VENKATESH, ADVOCATE SR NO: 44803

+1cc to M/S.THE SPECIAL GOVERNMENT PLEADER, SR NO:44528

gcg

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