



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2016

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD) No.16270 of 2016

Patchammal

... Petitioner

-Vs-

1.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Eruvadi Police Station,
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the 2nd respondent to grant permission and adequate police protection for taking out a procession by carrying Vinayagar statue from L.N.S.Puram to Pabanasam river via Ervadi main road, Kaikatti Thirupparam and Kalakadu to dilute the Vinayagar statue in Pabanasam river on 11.09.2016 at about 3.00 p.m.

For Petitioner : Mr.D.Venkatesh

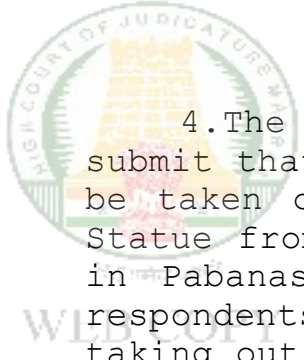
For Respondents : Mr.D.Muruganandam,
Addl. Govt. Pleader

O R D E R

The writ petition has been filed seeking for a direction to the 2nd respondent to grant permission and adequate police protection for taking out a procession by carrying Vinayagar statue from L.N.S.Puram to Pabanasam river via Ervadi main road, Kaikatti Thirupparam and Kalakadu to dilute the Vinayagar statue in Pabanasam river on 11.09.2016 at about 3.00 p.m.

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.

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 after Vinayagar Chathurthi festival, a procession will be taken out by the petitioner every year by carrying Vinayagar Statue from L.N.S. Puram to Pabanasam river to dilute the statute in Pabanasam river and that a representation was given to the respondents on 23.08.2016 seeking permission and protection for taking out procession, but however, the same was not considered by the respondents 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 an FIR has been registered, due to an untoward incident happened during such occasion. However, he gave an undertaking that the second respondent would consider the representation of the petitioner, dated 23.08.2016, on merits and in accordance with law.

6.In view of the above undertaking given by the learned Additional Government Pleader, the second respondent is directed to consider the representation of the petitioner dated 23.08.2016 and pass appropriate orders on merits and as per law immediately, as the function is scheduled to be held on 11.09.2016.

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

Sd/
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar.

To:

1.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Eruvadi Police Station,
Tirunelveli District.

+1CC to M/S.D.Venkatesh, Advocate, SR.No. 48290
+1CC to the Special Government Pleader, SR.No. 48148

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30.08.2016