



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2016

CORAM:

THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

W.P(MD) No.24553 of 2016

P.Asaithambi

... Petitioner

-vs-

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

2.The Inspector of Police,
Sindhupatti Police Station,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, to direct the respondents to grant permission and necessary police protection to perform the cultural programme (ie) Dance Programme on 27.12.2016 at 6.00 opm to 10.30 pm in the festival of Arulmighu Sri Kaliyamman Thirukovil Thiruvizha At Kattadevanpatti, Veppanooth Post, Usilampatti Taluk, Madurai District, by considering the representation, dated 16.12.2016.

For Petitioner : Mr.V.Manikandan

For Respondents : Mr.K.P.Krishnadoss
Government Advocate

O R D E R

The writ petition has been filed for issuance of a Writ of Mandamus, to direct the respondents to grant permission and necessary police protection to perform the cultural programme (ie) Dance Programme on 27.12.2016 at 6.00 pm to 10.30 pm in the festival of Arulmighu Sri Kaliyamman Thirukovil Thiruvizha at Kattadevanpatti, Veppanooth Post, Usilampatti Taluk, Madurai, District, by considering the representation, dated 16.12.2016.

2.Mr.K.P.Krishnadass, learned Government Advocate, took notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

<https://hcservices.ecourts.gov.in/hcservices/>

3.Heard the learned counsel appearing for the petitioner and

the learned Government Advocate appearing for the respondents.

4.The learned Government Advocate (Criminal side) would submit that the petitioner's village is a very sensitive area and there is another temple is available called Vendi Muthaiah at Kallapattai village and there was a dispute between the the people in the villages and in this connection, 107 Cr.P.C proceedings are pending against the both the villagers, in Crime No.243 of 2015 and if the cultural programme is permitted to perform during the festival period, it will lead to serious law and order problem. Hence, he prayed for the dismissal of the petition.

5.It is seen from the counter filed by the 2nd respondent that the respondent police has not stated any specific incident for rejection of the programme and except, the reason that the petitioner's village is a very sensitive area, no other valid reasons have been stated in the counter for rejection.

6.In view of the above circumstances, this petition is disposed of directing the 2nd respondent to consider the representation of the petitioner, dated 16.12.2016 and pass appropriate orders, purely on merits and in accordance with law, within a period of two days from day. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To:

- 1.The Superintendent of Police,
Madurai District,
Madurai.
- 2.The Inspector of Police,
Sindhupatti Police Station,
Madurai District.
- 3.The Government Advocate,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to MR.V.MANIKANDAN, Advocate Sr.No.83203
+1 cc to Special Government Pleader SR.NO.83473

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