



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 17.02.2016
CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

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W.P. (MD) No.2898 of 2016

V.Ayyappan

... Petitioner

-vs-

1.The Assistant Superintendent of Police,
Thenkasi Sub-Division,
Thenkasi,Tirunelveli District.

2.The Sub-Inspector of Police,
Achanpudur Police Station,
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Certiorarified Mandamus calling for records relating to the impugned order dated 24.1.2016 in Na.Ka.No.17/U.Kaa.Ka.The/2016 issued by the first respondent and quash the same and consequently direct the respondents to grant permission for performing Chenda Melam on 16.02.2016 at about 10.00 a.m while taking Palkudam and Kuttrala Theertham in Arulmighu Sri Muppidathiamman Thirukovil, Vadakarai temple premises and also the Car Street of the temple, permission for Chenda Melam on 16.02.2016 at 5.00 p.m while taking Agni Chatti, Mulapari Kiragam, Poonthattu in Arulmighu Sri Muppidathiamman Thirukovil, Vadakarai temple premisses and also Car Street of the temple.

For Petitioner : Mr. V.Sasikumar
For Respondents : Mr.D.Muruganandam,
Addl. Govt. Pleader

O R D E R

This writ petition has been filed, seeking for issuance of a writ of Certiorarified Mandamus to quash the impugned order dated 24.1.2016 in Na.Ka.No.17/U.Kaa.Ka.The/2016 issued by the first respondent and for consequential direction to the respondents to grant permission for performing Chenda Melam on 16.02.2016 at about 10.00 a.m while taking Palkudam and Kuttrala Theertham in Arulmighu Sri Muppidathiamman Thirukovil, Vadakarai temple premises and also the Car Street of the temple, permission for Chenda Melam on 16.02.2016 at 5.00 p.m while taking Agni Chatti, Mulapari Kiragam, Poonthattu in Arulmighu Sri Muppidathiamman Thirukovil, Vadakarai temple premisses and also Car Street of the temple.

2.On reading of the impugned order dated 24.01.2016 this Court finds no infirmity therein. It is seen that earlier the police has granted permission for Chenda Melam Kacheri. But during the Kacheri, a serious law and order problem arose resulting in registration of FIR in Crime No.53 of 2015 on the file of the respondent police for offence under Sections 143, 188 IPC.



3. In view of the above, this Court cannot sit over the decision of the executive authorities with regard to maintenance of law and order. Hence, this petition is devoid of merits and the same is dismissed. No costs.

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/True copy/

Sd/-

Assistant Registrar(Writs)

Sub AssistantRegistrar

To:

1.The Assistant Superintendent of Police,Thenkasi Sub-Division, Thenkasi,Tirunelveli District.

2.The Sub-Inspector of Police,Achanpudur Police Station,Tirunelveli District.

3.The Additional Public Prosecutor,Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.V.Sasikumar, Advocate SR.No.9263

+1cc to special Government Pleader SR.No.9772

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