



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2016

CORAM

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

W.P. (MD) No.5460 of 2016

WEB COPY

A.Allimuthu

...Petitioner

-vs-

1.The Superintendent of Police,
Theni, Theni District

2.The Inspector of Police,
Kadamalaikundu Police Station,
Andipatti
Theni District

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the 2nd respondent to consider the petitioner representation dated 07.03.2016 and to grant permission on the basis of petitioner representation to conduct Adal Padal programme on 25.03.2016 from 7.00 p.m. to 1.00 a.m. at Sri Kalamman Temple festival situated at Athukkadu village, Kadamalaikundu, Andipatti Taluk, Theni District.

For Petitioner : Mr.M.Jeyaprakash
For Respondents: Mr.D.Muruganandam,
Addl. Govt. Pleader

O R D E R

This writ petition has been filed, seeking a direction to the 2nd respondent to consider the petitioner representation dated 07.03.2016 and to grant permission on the basis of petitioner representation to conduct Adal Padal programme on 25.03.2016 from 7.00 p.m. to 1.00 a.m. at Sri Kalamman Temple festival situated at Athukkadu village, Kadamalaikundu, Andipatti Taluk, Theni District.

2. Learned counsel for the petitioner would submit that the villagers jointly decided to conduct Adal Padal program scheduled to be held on 25.03.2016 during Kalamman Temple festival situated at Athukkadu village, Kadamalaikundu, Andipatti Taluk, Theni District. He would further submit that in this connection, a representation was given to the respondent police on 07.03.2016, with a request to grant permission to conduct the programme on the above said date. However, the respondent Police has not yet considered the said representation and hence, the petitioner is before this Court with this Writ Petition.

3. Heard the learned counsel on either side.

4. This Court is aware of the fact that the Election Commission of India has announced time table for elections to the State Assembly and Police will be under much strain. Under such circumstances, it will not be advisable to grant permission for such programmes, if there are going to be a law and order problem.

5. However, in view of the limited scope of prayer sought for in this petition, the respondent police is directed to pass orders on merits and in accordance with law either permitting or rejecting the representation dated 07.03.2016, given by the petitioner, taking into account the law and order problem and other aspects, prevailing in that area, as expeditiously as possible.

With the above direction, this Writ Petition is disposed of.

Sd/-

Assistant Registrar(CO) I/C

/True copy/

Sub Assistant Registrar(CS)

To:

1.The Superintendent of Police,
Theni, Theni District

2.The Inspector of Police,
Kadamalaikundu Police Station,
Andipatti,
Theni District.

+1cc to M/s.C.M.Ganesan, Advocate in SR.15542

+1cc to the Special Government Pleader, in SR.15741

W.P.(MD) No.5460 of 2016
18.03.2016

rr.

PBK/AAL-MPA/AR-I 21/03/2016 ::2P-5C:: (IT)