



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2016

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

W.P.(MD) No.6319 of 2016

N.Nagan

... Petitioner

-vs-

1. The Superintendent of Police,
Office of the Superintendent of Police,
Theni, Theni District.
2. The Inspector of Police,
Uthamapalayam Police Station,
Uthamapalayam, Theni District.
3. The Sub-Inspector of Police,
Odaipatti Police Station,
Odaipatti Post,
Uthamapalayam Taluk,
Theni District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the respondents to give permission to perform the cultural programme of Kalai Nigaltchi (Adal Padal) programme conducted by "Kalai Nila" on 08.04.2016 in connection with the "Panguni Urchava Festival" in Arulmigu Sri Sandhana Mariamman Kovil at Seppalakottai Village, Uthamapalayam Taluk, Theni District.

For Petitioner: Mr.M.Karuppasamy Pandian

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

O R D E R

This writ petition has been filed, seeking a direction to the respondents to give permission to perform the cultural programme of Kalai Nigaltchi (Adal Padal) programme conducted by Kalai Nila on 08.04.2016 in connection with the Panguni Urchava Festival in Arulmigu Sri Sandhana Mariamman Kovil at Seppalakottai Village, Uthamapalayam Taluk, Theni District.

2. Learned counsel for the petitioner would submit that the villagers jointly decided to conduct Adal Padal on 08.04.2016 in connection with the Panguni Urchava Festival in Arulmigu Sri Sandhana Mariamman Kovil at Seppalakottai Village, Uthamapalayam Taluk, Theni District. He would further submit that in this connection, a representation was given to the respondent police on

23.03.2016, with a request to grant permission to the said 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 for the petitioner. Mr.D.Muruganandam, learned Additional Government Pleader takes notice for the respondents.

4. This Court is aware of the fact that the Election Commission of India has already announced time table for elections to the State Assembly and therefore, the 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 any law and order problem.

5. However, in view of the limited scope of prayer sought for in this petition, the respondent police are directed to pass orders on merits and in accordance with law either permitting or rejecting the representation dated 23.03.2016, 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(R)

/True Copy/

Sub-Assistant Registrar

To:

1. The Superintendent of Police,
Office of the Superintendent of Police,
Theni, Theni District.
 2. The Inspector of Police,
Uthamapalayam Police Station,
Uthamapalayam, Theni District.
 3. The Sub-Inspector of Police,
Odaipatti Police Station, Odaipatti Post,
Uthamapalayam Taluk, Theni District.
- +One cc to The Special Government Pleader, SR.No.18338
+One cc to Mr.M.Karuppasamy Pandian, Advocate, SR.No.18156
ar
RL/6C/2P/NGM/SS/SARI/4/4/2016

W.P.(MD) No.6319 of 2016

31.03.2016