



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.6342 of 2016

C.Elambarathy

... Petitioner

-vs-

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

2. The Inspector of Police,
Nachiyapuram Police Station,
Sivagangai 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 grant permission and necessary police protection to perform the cultural programme, i.e., Dance Programme on 11.07.2016 at 7.00 pm to 11.30 pm in the Thiruvizha festival of Arulmigu Perichakovil Sundaravaneshwarar and kasi Vairavar Temple at Kandaramanickam Post, Thirupathur Taluk, Sivagangai District by considering the petitioner's representation dated 28.03.2016.

For Petitioner : Mr.V.Manikandan
For Respondents: Mr.D.Muruganandam,
Additional Government Pleader

O R D E R

This writ petition has been filed, seeking a direction to the respondents to grant permission and necessary police protection to perform the cultural programme, i.e., Dance Programme on 11.07.2016 at 7.00 pm to 11.30 pm in the Thiruvizha festival of Arulmigu Perichakovil Sundaravaneshwarar and kasi Vairavar Temple at Kandaramanickam Post, Thirupathur Taluk, Sivagangai District by considering the petitioner's representation dated 28.03.2016.

2. Learned counsel for the petitioner would submit that the villagers jointly decided to conduct Dance Programme on 11.07.2016 in connection with the Thiruvizha festival of Arulmigu Perichakovil Sundaravaneshwarar and kasi Vairavar Temple at Kandaramanickam Post, Thirupathur Taluk, Sivagangai District. He would further submit that in this connection, a representation was given to the respondent police on 28.03.2016, 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 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 28.03.2016, 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 (AS)

/True copy/

Sub Assistant Registrar

To:

1. The Superintendent of Police,
Sivagangai District,
Sivagangai.
2. The Inspector of Police,
Nachiyapuram Police Station,
Sivagangai District.
3. The Additional Government Pleader,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.V.MANIKANDAN, Advocate, SR No.18640

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No.18340

W.P. (MD) No.6342 of 2016
31.03.2016

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SH/GSV-PM/SAR-I :15.04.2016:2P/6C