



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2016

CORAM

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

W.P.(MD) No.7082 of 2016

R.Rajaram

... Petitioner

-vs-

1. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
2. The Sub-Inspector of Police,
Veerakeralampudur 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 the records relating to the impugned order of rejection dated 5.4.2016 issued by the 2nd Respondent and quash the same and consequently direct the 2nd Respondent herein to grant permission for playing Kerala Chenda Melam on account of Sapparam Procession on 22.4.2016 for the completion of Nainar Nombu Thiruvizha of Arulmigu Kalinga Vinayagar Thirukoil, Kalingapatti Village, Tirunelveli District.

For Petitioner : Mr.P.Saravanakumar

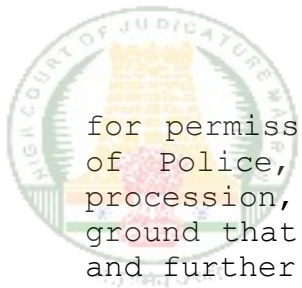
For Respondents: Mr.D.Muruganandam,
Addl. Govt. Pleader

O R D E R

This writ petition has been filed, seeking to call for the records relating to the impugned order of rejection dated 5.4.2016 issued by the 2nd Respondent and quash the same and consequently direct the 2nd Respondent herein to grant permission for playing Kerala Chenda Melam on account of Sapparam Procession on 22.4.2016 for the completion of Nainar Nombu Thiruvizha of Arulmigu Kalinga Vinayagar Thirukoil, Kalingapatti Village, Tirunelveli District.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the State.

3. It is seen that this petitioner has made an application on 05.04.2016 to the respondent police for permission to take out procession on 22.04.2016 in connection with Nainar Nombu Festival of Arulmigu Kalinga Vinayagar Temple, administered by the members of Nadar community in Kalingapatti Village, Tirunelveli District. The petitioner also sought



for permission to keep Chenda Melam in the procession. The Sub-Inspector of Police, by order dated 05.04.2016 has granted permission to the procession, but has rejected the request of keeping Chenda Melam, on the ground that several members of other communities are residing in the area and further elections are also round the corner.

4. In the considered opinion of this Court, keeping Chenda Melam cannot in any way cause annoyance to other members of the community nor can the impending election be a reason to deny such permission. Under such circumstances, this writ petition is allowed and the impugned order dated 05.04.2016 is set aside. The petitioner is permitted to have Chenda Melam as part of the procession.

Sd/
Assistant Registrar(R)

/True Copy/

Sub Assistant Registrar.

To:

1. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
2. The Sub-Inspector of Police,
Veerakeralampudur Police Station,
Tirunelveli District.

+1CC to M/S. P.Kalaiyarasi Bharathi, Advocate, SR.No. 22111

W.P.(MD) No.7082 of 2016
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AM/NGM.SS/SAR-I/21.04.2016/2P/4C