



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

W.P(MD)No.8500 of 2016

and

W.M.P(MD)No.6801 of 2016

WEB COPY

Thangavel

...Petitioner

-vs-

1.The District Collector,
District Collector Office,
Trichy - 1, Trichy District.

2.The Superintendent of Police,
District Police Office,
TVS Tollgate, Trichy - 20,
Trichy District.

3.The Deputy Superintendent of Police,
Lalgudi, Trichy District.

4.The Executive Officer,
Arulmighu Mariamman Temple,
Samayapuram, Trichy District.

5.The Inspector of Police,
Samayapuram Police Station,
Samayapuram, Trichy District.

6.T.P.Sundram Pillai

7.K.Soundarrajan

8.P.Dhandapani

9.Rathinavel Pillai

10.R.Saravana Sekar

11.R.Gnanasundram

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the third and fifth respondents herein to take appropriate action against the respondent 6 to 11/landlords for their high handed, illegal, malafide act for retain the key of the shops situated at Trichy District, Manachanallur Taluk, Samayapuram S.F.No.273/7B, Door No.10/1 and 10/2 after completion of the festival (ie 17.04.2016 to 19.04.2016) with them without any authority and to get shops key from the respondents 6 to 11 and hand over the key to the petitioner for carry on the business for selling pooja things to the devotees of Samayapuram Mariamman Temple under the right guaranteed under Article 14, 19(1)(g) and 21 of the Constitution of India, in the light of the representation dated 21.04.2016.

For Petitioner
For RR 1 to 5

: Mr.R.Rajaraman
: Mr.Aayiram K.Selvakumar
Government Advocate

O R D E R

This writ petition has been filed, seeking a direction to the third and fifth respondents herein to take appropriate action against the respondent 6 to 11/landlords for their high handed, illegal, malafide act for retain the key of the shops situated at Trichy District, Manachanallur Taluk, Samayapuram S.F.No.273/7B, Door No.10/1 and 10/2 after completion of the festival (ie 17.04.2016 to 19.04.2016) with them without any authority and to get shops key from the respondents 6 to 11 and hand over the key to the petitioner for carry on the business for selling pooja things to the devotees of Samayapuram Mariamman Temple under the right guaranteed under Article 14, 19(1)(g) and 21 of the Constitution of India, in the light of the representation dated 21.04.2016.

2. Heard the learned counsel for the petitioner and Mr.Aayiram K.Selvakumar, learned Government Advocate takes notice for the respondents 1 to 5.

3. It is seen that the petitioner has sent a representation, dated 21.04.2016 and immediately, he has filed the present Writ Petition on 26.04.2016 even without assuring whether the representation has reached the respondents or not.

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, this Court directs the third respondent to consider the representation of the petitioner, dated 21.04.2016, if he had received the same, after the Election to the State Assembly is over ie., after 20.05.2016 and pass appropriate orders on the same, after hearing all the parties, namely respondents 6 to 11, and take action in accordance with law.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar(CS)

To

1.The District Collector,
District Collector Office,
Trichy - 1, Trichy District.

2.The Superintendent of Police,
District Police Office,
TVS Tollgate,
Trichy - 20,
Trichy District.



3.The Deputy Superintendent of Police,
Lalgudi,
Trichy District.

4.The Executive Officer,
Arulmighu Mariamman Temple,
Samayapuram,
Trichy District.

5.The Inspector of Police,
Samayapuram Police Station,
Samayapuram,
Trichy District.

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

+1cc to M/s.R.Rajaraman, Advocate in SR.24883

+1cc to the Special Government Pleader, in SR.25595

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ps

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