



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Dated: 18.01.2016

C O R A M

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)No.891 of 2016

K.Sonaichamy

... Petitioner

Vs

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

2.The Sub-Inspector of Police,
Manamadurai Police Station (L & O),
Sivagangai District,
Sivagangai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to grant permission to conduct the "Aadal Padal show" to be held on 20.01.2016 at 07.00 p.m., to celebrate the festival of Sithi Vinayagar, Madai Karupaswamy and Muniyappa Swamy Temple festival situated at Seenimadai Village, Manamadurai Taluk, Sivagangai District and further provide adequate police protection to the festival.

For Petitioner : Mr.D.Sadiq Raja

For Respondents : Mr.D.Muruganandam
Additional Government Pleader

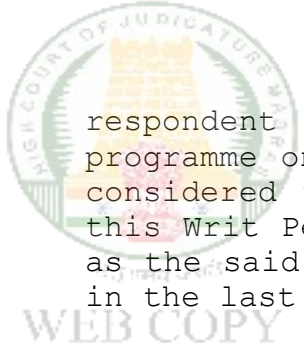
ORDER

The prayer in the Writ Petition is for a Writ of Mandamus, directing the respondents to grant permission to conduct the "Aadal Padal show" to be held on 20.01.2016 at 07.00 p.m., to celebrate the festival of Sithi Vinayagar, Madai Karupaswamy and Muniyappa Swamy Temple festival situated at Seenimadai Village, Manamadurai Taluk, Sivagangai District and further provide adequate police protection to the festival.

2. By consent, the Writ Petition itself is taken up for final disposal.

3. Heard the counsel appearing for the petitioner and the Additional Government Pleader appearing for the respondents.

4. The counsel for the petitioner would submit that the villagers jointly decided to conduct cultural programme such as Aadal Padal show on 20.01.2016 at 07.00 p.m., situated at Seenimadai Village, Manamadurai Taluk, Sivagangai District and that the respondents may be directed to give protection to perform the said cultural programme. He would further submit that in this connection, a representation was given to the



respondent police with a request to grant permission to conduct the programme on the above said date, however, the respondent Police has not considered the same and hence, the petitioner is before this Court with this Writ Petition. The counsel for the petitioner further submitted that as the said festival was celebrated in a peaceful manner by the villagers in the last year, no untoward incident will take place in this year also.

5. The Additional Government Pleader would submit that the respondent police has not considered the representation as it will create communal problem in the Village. He would further submit that if permission is granted for conducting the cultural programme, the anti-social elements will make use of the same to create law and problem in the locality.

6. This Court considered the submissions made on either side and perused the materials available on record.

7. The anticipation of the respondent police cannot be ignored, as they are only answerable, if any untoward incident takes place in their jurisdiction and therefore, the impugned order has been rightly passed by the respondent, rejecting the request of the petitioner to conduct the programme.

8. In view of the submission made by the Additional Government Pleader, this Court is not inclined to grant permission for conducting the said programme. Accordingly, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

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

2.The Sub-Inspector of Police,
Manamadurai Police Station (L & O),
Sivagangai District,
Sivagangai.

+1cc to Mr.D.Sadiq Raja, Advocate SR.No.2768

+1cc to The Special Government Pleader, Madurai. SR.No.2725

W.P (MD) No.891 of 2016
18.01.2016

ps

NS/GSV-AN/01.02.2016 : 2P/5C