



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.05.2016

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THE HON'BLE MR.JUSTICE P.KALAIYARASAN

W.P. (MD) No.9128 of 2016

G.Kandhasamy

... Petitioner

-vs-

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

2.The Inspector of Police,
Masarpartti Police Station,
Masarpatti, Ettayapuram Taluk,
Thoothukudi 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 protection for Adal Padal program perform in "Urchava Vizha" scheduled to be held on 20.05.2016 at Arulmigu Sri Pathirakaliamman Thirukovil at Vembur Village, Vembur Post, Ettayapuram Taluk, Thoothukudi District, by considering the petitioner's representation dated 30.04.2016.

For Petitioner: Mr.R.Karthic Rajan

For Respondent: Mr.D.Muruganandam

Addl. Govt. Pleader

O R D E R

This writ petition has been filed, seeking a direction to the respondent to grant permission and protection for Adal Padal program perform in "Urchava Vizha" scheduled to be held on 20.05.2016 at Arulmigu Sri Pathirakaliamman Thirukovil at Vembur Village, Vembur Post, Ettayapuram Taluk, Thoothukudi District, by considering the petitioner's representation dated 30.04.2016.

2. Learned counsel for the petitioner would submit that the villagers jointly decided to conduct Adal Padal program perform in "Urchava Vizha" scheduled to be held on 20.05.2016 at Arulmigu Sri Pathirakaliamman Thirukovil at Vembur Village, Vembur Post, Ettayapuram Taluk, Thoothukudi District. He would further submit that in this connection, a representation was given to the respondent police on 30.04.2016, with a request to grant permission to conduct the programme on the above said date.

<https://hdservices.courts.gov.in/hdservices/> Respondents have not yet considered the said representation and hence, the petitioner is before this Court with this Writ Petition.



3. Heard the learned counsel on either side.

4. This Court is aware of the fact that the Election Commission of India has announced elections to the State Assembly on 16.05.2016 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 a 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 30.04.2016, 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/-

Vacation Officer
Assistant Registrar(P&A) /

/True Copy/

Sub-Assistant Registrar

To:

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

2.The Inspector of Police,
Masarpartti Police Station,
Masarpatti, Ettayapuram Taluk,
Thoothukudi District.

+One cc to Mr.R.Karthick Rajan, Advocate, SR.No.26127
+One cc to The Special Government Pleader, SR.No.26198
am
RL/5C/2P/JGB/SS/SARI/13/5/2016

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