



WEB COPY

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.05.2016

CORAM

THE HON'BLE MR. JUSTICE P. KALAIYARASAN

W.P.(MD) No.9202 of 2016

T.Chandran

... Petitioner

-vs-

1.The Deputy Superintendent of Police,
Nagercoil, Kanyakumari District.

2.The Inspector of Police,
Kottar Police Station,
Kottar,
Kanyakumari 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 adequate police protection during the festival sessions to the petitioner to perform the Kodai festival of Vadalivilai Arulmigu Sri Sudalai Madaswamy Temple on 12.05.2016, 13.05.2016 and 14.05.2016 in Vadalivilai Village, Kottar Post, Agasthiswaram Taluk, Kanyakumari District by considering the petitioner's representation, dated 29.04.2016.

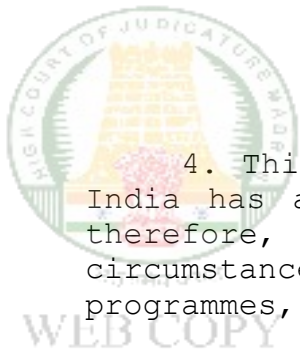
For Petitioner: Mr.V.Muthukamatchi

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 adequate police protection during the festival sessions to the petitioner to perform the Kodai festival of Vadalivilai Arulmigu Sri Sudalai Madaswamy Temple on 12.05.2016, 13.05.2016 and 14.05.2016 in Vadalivilai Village, Kottar Post, Agasthiswaram Taluk, Kanyakumari District by considering the petitioner's representation, dated 29.04.2016.

2. Learned counsel for the petitioner would submit that the villagers jointly decided to conduct Kodai festival of Vadalivilai Arulmigu Sri Sudalai Madaswamy Temple on 12.05.2016, 13.05.2016 and 14.05.2016 in Vadalivilai Village, Kottar Post, Agasthiswaram Taluk, Kanyakumari District. He would further submit that in this connection, a representation was given to the respondent police on 29.04.2016, with a request to grant permission to conduct the programme on the above said date. However, the respondents have not yet considered the said representation and hence, the petitioner is before this Court with this Writ Petition.



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 29.04.2016, 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

/TRUE COPY/

Sub Assistant Registrar(C.S)

To:

1.The Deputy Superintendent of Police,
Nagercoil, Kanyakumari District.

2.The Inspector of Police,
Kottar Police Station,
Kottar,
Kanyakumari District.

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

+1cc to M/S.V.Muthukamatchi, Advocate in SR.No.26218

+1cc to Special Government Pleader in SR.No.26172

W.P. (MD) No.9202 of 2016
11.05.2016

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PA/MP/SAR I/12.05.2016/2P/6C