

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2017

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THE HONOURABLE MR. **JUSTICE R.MAHADEVAN**

Crl.O.P.No.3324 of 2017

M.Palanisamy

... Petitioner

Vs

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

2.The Inspector of Police,
Karuveppilan Kurichi Police Station,
Viruthachalam Taluk,
Cuddalore District.

3.Selvarasu

4.Namachivayam

5.Govindaraja

... Respondents

(R3 to R5 impleaded as per order
dated 23.2.2017 made in Crl.M.P.
Nos.2749 to 2751 of 2017)

Criminal Original Petition filed under Section 482 Cr.P.C. to
direct the respondents to consider the representation dated 8.2.2017
favourably and to give police protection for the conduct of the
Arulmigu Amirthalingeswarar temple festive to be held on 23rd and
24th of February, 2017.

For Petitioner : Mr.Sunder Mohan

For Respondents : Mr.C.Emalias,
Addl. Public Prosecutor
for R1 and R2
Mr.David Tyagaraj,
for R3 to R5

ORDER

The present criminal original petition has been filed seeking a direction to the respondents 1 and 2 to consider the representation dated 8.2.2017 favourably and to give police protection for the conduct of the Arulmigu Amirthalingeswarar temple festival to be held on 23rd and 24th of February, 2017.

2. It is the case of the petitioner that he is the hereditary trustee of Arulmigu Amirthalingeswarar Temple situated at T.Pavazhankudi Village, Ottimedu Post, Viruthachalam Taluk, Cuddalore District, and he and his family members have been conducting all the festivals of the said temple regularly. While so, this year, some of the villagers tried to prevent the petitioner from conducting the Mahashivratri festival scheduled to be held on 23rd and 24th February, 2017. In this regard, the petitioner gave a representation dated 8.2.2017 to the second respondent seeking

police protection for the conduct of the said festival. However, the second respondent has not responded to his representation. Hence, the petition.

3. I have heard the learned counsel appearing for the petitioner, learned Additional Public Prosecutor, appearing for respondents 1 and 2 and the learned counsel appearing for respondents 3 to 5 and perused the entire materials available on record.

4. The issue involved in this petition is related to conduct of Mahashivratri festival in Arulmighu Amirthalingeswarar Temple, situated at T.Pavazhankudi Village, Ottimedu Post, Viruthachalam Taluk, Cuddalore District. Now, the learned counsel appearing for the petitioner produced the proceedings of the RDO, Viruchachalam in 5/176/2017 dated 22.2.2017, wherein both the parties agreed the terms and conditions stipulated thereon.

5. In view of the above facts and circumstances, this Court directs both the parties to appear before the Inspector of Police, Vrithachalam, on 24.2.2017 at 10.00 a.m., and file necessary affidavit

affirming that they would celebrate Mahashivratri festival in Arulmighu Amirthalingeswarar Temple jointly without causing any hindrance to general public and without leading to any communal violation. This arrangement is strictly for the purpose of smooth conduct of Mahashivratri festival in Arulmighu Amirthalingeswarar Temple to be held on 24.2.2017. Except this, all the other civil issues / rights are to be placed before the competent civil Court. The criminal original petition is disposed of accordingly.

23.02.2017

Index:Yes/No
sbi

Note: Issue order copy by today (23.2.2017) itself.

To

- 1.The Superintendent of Police,
Cuddalore District,
Cuddalore.
- 2.The Inspector of Police,
Karuveppilan Kurichi Police Station,
Viruthachalam Taluk,
Cuddalore District.
- 3.The Public Prosecutor,
High Court, Madras.

R.MAHADEVAN, J

sbi

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