

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.4873 of 2014

St.Susaipper Telugu Christians Bajanai Sangam,
(Regn.No.112/2004),
Rep.by its Secretary,
Mr.Y.L.Irudayaraj,
K.K.Pudur,
Madurantagam Taluk,
Kancheepuram District.Petitioner

-Vs-

- 1.The Deputy Superintendent of Police,
Madurantagam,
Madurantagam Taluk,
Kancheepuram District.
- 2.The Inspector of Police,
Madurantagam,
Madurantagam Taluk,
Kancheepuram District.
- 3.St.Susaiapper Church,
Rep. by The Parish Priest,
K.K.Pudur.
Madurantagam Taluk,
Kancheepuram District.Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the second respondent in impugned order dated Nil and quash the same and consequently direct the respondents 1 & 2 to give permission to conduct the car (THER) on 19.03.2014 at K.K.Pudur Village, Madurantagam Taluk, Kancheepuram District by using Loudspeaker and to provide sufficient police protection. (Prayer amended as per the order of this Court dated 02.11.2017 in M.P.No.2 of 2014 in this Writ Petition.)

For Petitioner : Mr.S.Udayakumar

For R1 & R2 : Mr.R.Vijayakumar
Additional Government Pleader

For R3 : Mr.K.GoviGanaesan &
Mr.D.ArunKumar

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O R D E R

The relief sought for in this writ petition is to direct the first and second respondents to permit the petitioner/Sangam to conduct the car (THER) procession on 19.03.2014 at K.K.Pudur Village, Madurantagam Taluk, Kancheepuram District by using loudspeaker and to provide sufficient police protection for the said purpose.

2.The learned counsel appearing for the writ petitioner made a submission that the writ petition was filed in order to consider the case of the petitioner/Sangam to conduct a procession on 19.03.2014. However, the permission was refused during all the years and therefore, there is a requirement of general direction to be issued to the authorities to consider the case of the writ petitioner in respect of the relief sought for in this writ petition. However now after a lapse of three years, the same cannot be considered, in view of the fact that permission itself sought for to conduct a procession on 19.03.2014 and the same became infructuous.

3.However, this Court is of the view that whenever an application is filed by the petitioner/Sangam, the competent authorities in this regard are bound to consider the same and take a decision and communicate the same to the writ petitioner.

4.With these observation, the Writ Petition stands closed. The competent authorities are bound to take a decision on merits in accordance with law uninfluenced by any earlier decision in this regard. However, there is no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Deputy Superintendent of Police
Madurantagam,
Madurantagam Taluk,
Kancheepuram District.

2.The Inspector of Police
Madurantagam
Madurantagam Taluk,
Kancheepuram District.

+1cc to Mr.S.Udayakumar, Advocate, S.R.No.77969

W.P.No.4873 of 2014

KS (CO)

RRK (12/12/2017)



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