

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 22.06.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P(MD)No.11599 of 2017
and
W.M.P(MD)Nos.8953 and 8954 of 2017

S.Kaliappan

.. Petitioner

Vs.

1. The State rep. by the Inspector of Police,
Radhapuram Police Station,
Tirunelveli District.
2. The Superintendent of Police,
Tirunelveli District, Tirunelveli.
3. The Deputy Superintendent of Police,
Valliyoar, Tirunelveli District.
- 4.S.Thusimuthu

.. Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the impugned order dated 19.06.2017 made in Na.Ka.No.117/Ka.Thu.Ka/ Valliyoar/2017 passed by the third respondent and quash the same as illegal and devoid of merits and consequently direct the respondents 1 to 3 to grant permission and also provide adequate police protection for the celebration of Kumbabishekam and subsequent Kodai Festival with conventional process of Milk Pot Pooja which is part and parcel of Kodai Festival to Arulmighu Mutharamman and Arulmighu Mubidathi Amman Kovil at Thanakkarkulam Village, Tirunelveli District commencing from 23.06.2017 to 28.06.2017 forthwith.

For Petitioner : Mr.S.Palanivelayutham
For Respondents 1 to 3 : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader.

ORDER

[Order of the Court was made by **A.SELVAM, J.**]

This writ petition has been filed under Article 226 of the Constitution of India praying to call for records relating to the rejection order dated 19.06.2017 passed by the third respondent and quash the same and also for directing the respondents to give necessary permission for conducting the programmes mentioned therein, by way of issuing a writ of certiorarified mandamus.



2. Mr. T. S. Mohammed Mohideen, learned Additional Government Pleader, has taken notice for the respondents 1 to 3.

3. It is seen from the records that the petitioner has given a representation for the purpose mentioned therein, but the third respondent has rejected the same by way of passing the impugned order dated 19.06.2017, wherein it has been simply stated that due to law and order problem, permission cannot be granted. The reason assigned by the third respondent cannot be accepted and therefore this Court is inclined to pass the following order.

4. In fine, this writ petition is allowed in part without costs and the impugned order dated 19.06.2017 passed by the third respondent is quashed. The third respondent is directed to look into the representation alleged to have been given by the petitioner afresh and pass suitable orders on merits within a period of two days. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Radhapuram Police Station,
Tirunelveli District.
2. The Superintendent of Police,
Tirunelveli District, Tirunelveli.
3. The Deputy Superintendent of Police,
Valliyoore, Tirunelveli District.

+1cc to M/S. S. PALANIVELAYUTHAM, Advocate, SR.No.61490.

ORDER MADE IN
W.P (MD) No.11599 of 2017
and
W.M.P (MD) Nos.8953 and 8954 of 2017
22.06.2017

smn