

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

DATED: 06.07.2017

CORAM:

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR**W.P. (MD)No.12483 of 2017 and
WMP (MD)No.9625 of 2017**

Subramanian

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Aruppukkottai Division,
Virudhunagar District.

2. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

3. The Inspector of Police,
Narikudi Police Station,
Virudhunagar District.

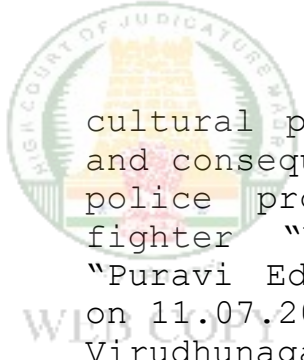
... Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for records relating to the impugned order passed by the 1st respondent in her proceedings Na.Ka.A2/5025/2017, dated 28.06.2017 and quash the decision taken by the 1st respondent relating to the celebration of cultural programme to be conducted on 11.07.207, namely, Drama and consequently direct the 3rd respondent to grant permission and police protection to conduct the programme, namely, freedom fighter "Veerapandiya Kattapomman Drama" in "Sri Marudharudaiya Ayyanar" Temple "Puravi Eduppu" festival on 11.07.2017 at Panaikudi Village, Esali Post, Thiruchuli Taluk, Virudhunagar District.

For Petitioner : Mr.M.Thangapandian.

For Respondents : Mr.A.Muthukaruppan,
Additional Government Pleader.**O R D E R**

The petitioner has come forward with this Writ Petition for issuance of a Writ of Certiorarified Mandamus, to call for records relating to the impugned order passed by the 1st respondent in her proceedings Na.Ka.A2/5025/2017, dated 28.06.2017 and quash the decision taken by the 1st respondent relating to the celebration of



cultural programme to be conducted on 11.07.2017, namely, Drama and consequently, direct the 3rd respondent to grant permission and police protection to conduct the programme, namely, freedom fighter "Veerapandiya Kattapomman Drama" in connection with "Puravi Eduppu" festival in "Sri Marudharudaiya Ayyanar" Temple on 11.07.2017, at Panaikudi Village, Esali Post, Thiruchuli Taluk, Virudhunagar District.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Freedom Fighter Veerapandiya Kattapomman Drama" on 11.07.2017 in connection with a festival of "Puravi Eduppu" in "Sri Marudharudaiya Ayyanar" Temple, Panaikudi Village, Esali Post, Thiruchuli Taluk, Virudhunagar District.

4. The impugned order in Na.Ka.A2/5025/2017, dated 28.06.2017, in the Writ petition is the resolution passed by the first respondent/Revenue Divisional Officer, Virudhunagar District, pursuant to the Peace Committee Meeting, calling upon members of 'A' party and the members of 'B' party. As per the decision unanimously taken in the Peace Committee Meeting the members of all community should worship without any discrimination and that each party is not permitted to have specific time for worship. It was further agreed that subscription should be received from all the members without any discrimination on the basis of caste or status and that no one should sing songs which may induce or affect the religion or community. It was specifically agreed that no one is permitted to conduct any Drama, or set Flex Boards. Despite the agreement was reached on 28.06.2017, the petitioner has filed the present Writ petition.

5. It is to be noted that the petitioner has not even made a representation before seeking a direction to the third respondent. In such circumstances, this Court is not inclined to entertain the Writ petition. However, the submission of the learned counsel for the petitioner that all the parties who were invited and participated in the Peace Committee Meeting and others have no objection for conducting the programme, namely, the play titled as the third part of "Freedom Fighter Veerapandiya Kattabomman" is recorded. This Writ petition is dismissed. However, liberty is given to the petitioner to give a representation to the respondents to get permission. The third respondent is directed to consider the representation of the petitioner, after giving sufficient opportunity to all parties concerned in the subject, particularly, the members who participated as 'A' party and 'B' party and pass appropriate orders on merits and after giving an opportunity of personal



hearing to the petitioner. The petitioner is directed to give a representation to the respondents on 07.07.2017. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar()

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/True Copy/

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Aruppukkottai Division,
Virudhunagar District.
2. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
3. The Inspector of Police,
Narikudi Police Station,
Virudhunagar District.

+1cc to M/S. M.THANGAPANDIAN, Advocate, SR.No.63811.
+1cc to Special Government Pleader, SR.No.63958.

W.P. (MD) No.12483 of 2017
and
WMP (MD) No.9625 of 2017
06.07.2017

pmu

SDS/SKN:RSK/SAR 4/10.07.2017/3P/6C