



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.07.2017

CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No.13513 of 2017

S.Ravichandran

... Petitioner

-Vs-

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

2.The Assistant Superintendent of Police,
Cheranmahadevi Division,
Tirunelveli District.

3.The Inspector of Police,
Cheranmahadevi Police Station,
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the second respondent by his proceedings in Na.Ka.No.49/Se.Mu.Aa/U.Ka.K/Cherai/2017, dated 15.07.2017, and quash the same as illegal and consequently direct the third respondent to give adequate police protection and also providing sound service permission during the "Aadi Kodai Vizha" function on 24.07.2017 and 25.07.2017 up to 09.00 a.m to 01.00 a.m.(next day), namely, "Arulmighu Moopidathi Amman Thirukoil" situated at Pillaikulam, Cheranmahadevi Taluk, Tirunelveli District.

For Petitioner : Mr.S.Krishnan

For Respondents : Mr.A.K.Baskarapandiyan,
Special Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the second respondent by his proceedings in Na.Ka.No.49/Se.Mu.Aa/U.Ka.K/Cherai/2017, dated 15.07.2017, and quash the same as illegal and consequently direct the third respondent to give adequate police protection and also providing sound service permission during "Aadi Kodai Vizha" function on 24.07.2017 and 25.07.2017 up to 09.00 a.m to 01.00 a.m.(next day), in "Arulmighu Moopidathi Amman Thirukoil" situated at Pillaikulam, Cheranmahadevi Taluk, Tirunelveli District.

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



3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Aadi Kodai Vizha" on 24.07.2017 and 25.07.2017 in "Arulmighu Moopidathi Amman Thirukoil" situated at Pillaikulam, Cheranmahadevi Taluk, Tirunelveli District. He further submitted that in this connection, a representation was given to the third respondent on 12.07.2017, with a request to grant permission and protection to conduct the festival on the above said date. However, the second respondent has passed an impugned order in Na.Ka.No.49/Se.Mu.Aa/U.Ka.K/Cherai/2017, dated 15.07.2017. Challenging the same, the petitioner is before this Court with this Writ Petition.

4. Though the second respondent has granted permission for conducting "Aadi Kodai Vizha" festival, the petitioner is aggrieved by the condition by which the petitioner and the villagers have been directed not to use the loud speakers beyond 10.00 p.m on the date of the festival.

5. The learned counsel for the petitioner submitted that the festival is conducted in the village and there will not be any objection for using the loud speakers on the date of "Kodai Vizha" up to 2.00 a.m.

6. Considering the limited scope of the prayer in the Writ petition, this Writ petition is disposed of with a direction that the petitioner shall abide by all the conditions imposed in the impugned order passed by the second respondent, dated 15.07.2017. The condition regarding usage of loud speakers beyond 10.00 p.m., is modified so as to enable the petitioner to use the Mike Sets and loud speakers up to 01.00 a.m., on the dates of event. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar.

To

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

2.The Assistant Superintendent of Police,
Cheranmahadevi Division, Tirunelveli District.

3.The Inspector of Police, Cheranmahadevi Police Station,
Tirunelveli District.

+1CC to Mr.S.Krishnan, Advocate, SR.No. 66891

W.P.(MD) No. 13513 of 2017

21.07.2017