

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 09.08.2017****CORAM****THE HONOURABLE MR.JUSTICE S.S.SUNDAR****W.P. (MD) No.14833 of 2017****WEB COPY**

S.Rasaiah Nadar

... Petitioner

-Vs-

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

2. The Inspector of Police,
Munnerpallam Police Station,
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to give adequate police protection for the temple festival namely, "Sri Perumal, Sudalaimadasamy and Mutharamman Kovil Temple" situated at Adaimithippankulam, Palayamkottai, Tirunelveli District, from 26.08.2017 to 30.08.2017 and consider the representation of the petitioner dated 25.07.2017 and 04.08.2017.

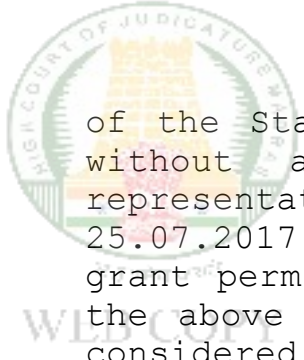
For Petitioner : Mr.N.Madhava Govindan
For Respondent : Mr.N.S.Karthikeyan,
Additional Government Pleader.

ORDER

This Writ petition has been filed for issuance of a Writ of Mandamus, seeking a direction to the respondents to direct respondent to give adequate police protection for the temple festival namely, "Sri Perumal, Sudalaimadasamy and Mutharamman Kovil Temple" situated at Adaimithippankulam, Palayamkottai, Tirunelveli District, from 26.08.2017 to 30.08.2017 and consider the representation of the petitioner dated 25.07.2017 and 04.08.2017.

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 every year during the auspicious Tamil month of "Avani" the villagers jointly decided to conduct Temple festival namely, "Sri Perumal, Sudalaimadasamy and Mutharamman Kovil Temple" situated at Adaimithippankulam, Palayamkottai, Tirunelveli District, and that this year the festival is scheduled to be conduct from 26.08.2017 to 30.08.2017. It is the further case of the petitioner is that the family of the entire village who are living in different parts



of the State used to assemble and celebrate the temple festival without any trouble or interference to anyone. Though representations were given to the respondent in person and 25.07.2017 and by registered post on 04.08.2017 with a request to grant permission and protection to conduct the Temple Festival on the above said date. However, the respondent police has not yet considered the said representation and hence, the petitioner is before this Court with this Writ Petition.

4.The learned Additional Government Pleader appearing for the respondents, on instructions, submitted that there is no dispute as regards any right and privilege in respect of temple in question.

5.The learned counsel for the petitioner also submitted that there is no dispute between any group or community with regard to conduct of festival as scheduled by the petitioner.

6.In such circumstances this Court is of the view, this Court is inclined to pass the following directions:

"The second respondent is directed to consider the representations of the petitioner dated on 25.07.2017 and 04.08.2017 and pass appropriate orders on merits and in accordance with law and if necessary after conducting a preliminary enquiry as to any terrible objection from anyone on or before 21.08.2017.

7.Accordingly, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

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

2. The Inspector of Police,
Munnerpallam Police Station,
Tirunelveli District.

+1cc to Mr.N.Madhava Govindan, Advocate SR.No.71766

+1cc to The Spl.Government Pleader SR.No.72359

GSP/CMR

VB/KP/SAR4/17/08/2017/2P/5C