



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2017

CORAM

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

W.P.(MD) No.15570 of 2017

WEB COPY

A.Ukkirapandi

... Petitioner

-Vs-

1.The Superintendent of Police,
Madurai District.

2.The Deputy Superintendent of Police,
Usilampatti Division,
Madurai District.

3.The Inspect of Police (Circle),
Chekkanurani Police Station,
Madurai District.

3.The Inspector of Police,
Valandur Police Station,
Madurai 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 pertaining to the impugned order dated 16.08.2017 passed by the third and fourth respondents and quash the same and consequently directing the respondents herein to grant permission to erection of Vinayagar Idol on 25.08.2017 and to conduct the "Vinayagar Idol Procession" on 27.08.2017 in pursuant to the "Vinayagar Chathurthi festival" of "Arulmigu Vinayagar Thirukoil" situated at Sakkiliyankulam, Valandur Post, Usilampatti Taluk, Madurai District and to provide adequate police protection.

For Petitioner : Mr.R.Amarnath

For Respondents : Mr.Sadhishkumar,

Additional Government Pleader

O R D E R

This Writ petition is filed for issuing a Writ Certiorarified Mandamus, to call for the records pertaining to the impugned order dated 16.08.2017 passed by the third and fourth respondent and quash the same and consequently directing the respondents herein to grant permission to erection of Vinayagar Idol on 25.08.2017 and to conduct the "Vinayagar Idol Procession" on 27.08.2017 in pursuant to the "Vinayagar Chathurthi festival" of "Arulmigu Vinayagar Thirukoil" situated at Sakkiliyankulam, Valandur Post, Usilampatti Taluk, Madurai District and to provide adequate police protection.



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 would submit that the villagers jointly decided to conduct the "Vinayagar Chathurthi festival" of "Arulmigu Vinayagar Thirukoil" situated at Sakkiliyankulam, Valandur Post, Usilampatti Taluk, Madurai District. In this connection, a representation dated 16.08.2017, was given to the fourth respondent police, with a request to grant permission to erect the Lord Vinayagar Idol on 25.08.2017 and to conduct the "Lord Vinayagar Idol Procession" on 27.08.2017. However, by the impugned order dated 16.08.2017, the petitioner's representation was rejected by the third and fourth respondents.

4. In the impugned order, dated 16.08.2017, the third and fourth respondents, stated that the petitioner had not installed any idol during the past and that there is likelihood of law and problem, if it is permitted for the first time.

5. The learned Additional Government Pleader, submitted that the permission has already been granted for installation of Lord Vinayagar Idol and procession on 27.08.2017, to one Mr. Parthiban, belonging to the same village. However the petitioner is willing to join the said Parthiban, in this regard.

6. Considering the facts and circumstances of the case and the submissions of the learned Additional Government Pleader, this Court is inclined to pass the following order:

"The petitioner may also be considered for celebrating the festival along with others who have already obtained permission from the third respondent. If the petitioner wants to install an idol on his own, the same also be allowed, subject to any other restrictions without causing any hindrance or objections to the organiser of the festival, who have already been given such permission. The petitioner can also be permitted to participate in the procession as it has already been planned by others for which the permission is granted. This Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

<https://hcservice.hccourt.gov.in/>
The Superintendent of Police,
Madurai District.



2.The Deputy Superintendent of Police,
Usilampatti Division,
Madurai District.

3.The Inspector of Police,
Valandur Police Station,
Madurai District.

+1cc to M/S.R.Amarnath, Advocate SR.No. 73414

W.P.(MD) No. 15570 of 2017
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DSS/CMR

JM/SV MMS/SAR 1/24.08.2017/3P/5C