



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.08.2017

CORAM:

THE HONOURABLE MR. JUSTICE K.K. SASIDHARAN

and

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No.15772 of 2017

R.Kannan

: Petitioner

Vs.

1.The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Vilakkuthoon, Madurai City,
Madurai.

2.The Inspector of Police,
Avaniyapuram Police Station,
Madurai Town, Madurai.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to grant permission for installing the temporary idols of Lord Vinayaga on the eve of Vinayagar Chathurthy festival commencing on 25.08.2017, at Nagammal Temple of Villapuram Housing Board, Flower Market near to the Poomariyamman Temple and at Lakshmi Tea Stall lane nearby Muthumariamman Kovil of Villapuram and for procession on 27.08.2017 at about 04.00 p.m., through Jayavilas Bus shed, Villapuram, for immersing them at Avaniyapuram Kanmoi in the light of the petitioner's representation dated 17.08.2017.

For Petitioner : Mr.C.Joseph Sathianeson
For Respondents : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader

O R D E R

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

This Writ Petition has been filed for directing the respondents to grant permission for installing the temporary Idols of Lord Vinayaga on the eve of Vinayagar Chathurthy Festival commencing on 25.08.2017 at Nagammal Temple of Villapuram Housing Board, Flower Market near to the Poomariyamman Temple and at Lakshmi Tea Stall lane nearby Muthumariamman Kovil of Villapuram and for procession on 27.08.2017 at about 04.00 p.m., through Jayavilas Bus shed, Villapuram, for immersing them at Avaniyapuram Kanmoi.

<https://hcservices.ecourts.gov.in/hcservices/>

2. The petitioner has given an application seeking



permission on 17.08.2017. Since the second respondent did not pass any order thereon, the present Writ Petition has been filed.

3. When the Writ Petition was taken up for hearing, the learned Additional Government Pleader appearing for the respondents submitted that during the conduct of the procession last year, some unpleasant incidents occurred. Representatives of the other community fairly submitted that it was on account of infiltration by certain anti-social elements from Solaiazhagupuram, and that the local organisers cannot be blamed.

4. At this stage, the learned counsel for the petitioner submitted that persons from Solaiazhagupuram would not be allowed to take part in the procession in question. It is specifically undertaken by the writ petitioner herein that he would personally ensure the smooth conduct of the procession. The respondent police are also directed to ensure that undesirable elements are completely kept out of the procession. It is the duty of the writ petitioner to ensure the peaceful conduct of the entire event relating to the procession without causing any disturbance to the other place of religious worship located in the same area. The second respondent is directed to give permission to the writ petitioner with appropriate conditions in this regard.

5. The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To:

1.The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Vilakkuthoon, Madurai City,
Madurai.

2.The Inspector of Police,
Avaniyapuram Police Station,
Madurai Town, Madurai.

+1cc to Mr.P.t.Rameshraj,Advocate, SR.74088

Order made in
W.P. (MD) No.15772 of 2017
23.08.2017

SML/KM

KK/SV MMS/SAR2-23.08.2017-2P-4C