



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.15920 of 2017

WEB COPY

S.Senthamarai

... Petitioner

Vs.

1.The Superintendent of Police,
Pudukottai District.

2.The Inspector of Police,
Aranthangi Police Station,
Nagudi Post Post - 614 616, Aranthangi,
Pudukottai District.

3.The Sub Inspector of Police,
Nagudi Police Station,
Aranthangi, Pudukottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to provide police protection for the petitioner and his family members for conducting Vinayagar Chathurthi Mandagapadi in "Shri Athmananthas Swami Temple" in Nagudi, Aranthandi, Pudukottai District to be conducted on 24.08.2017 and 25.08.2017.

For Petitioner : Mr.R.Maheswaran

For Respondents : Mr.A.K.Baskara Pandian,
Special Government Pleader.

O R D E R

The petitioner has come forward with this Writ Petition for issuance of a Writ of Mandamus seeking a direction to the respondents to provide police protection for the petitioner and his family members for conducting Vinayagar Chathurthi Mandagapadi in "Shri Athmananthas Swami Temple" in Nagudi, Aranthandi, Pudukottai District to be conducted on 24.08.2017 and 25.08.2017.

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 petitioner and his family decided to conduct Vinayagar Chathurthi Mandagapadi in "Shri Athmananthas Swami Temple" in Nagudi, Aranthandi, Pudukottai District. He would further submit



that in this connection, a representation was given to the respondent on 18.08.2017, with a request to grant permission and protection to conduct the programme on the above said date. However, the respondent Police has not considered the said representation and hence, the petitioner is before this Court with this Writ Petition.

4. However, this Court notice that the petitioner himself apprehends some problem at the instance of some of the individuals and the petitioner has further indicated that he has planned to organize a programme in front of his house protesting such individuals who are against the petitioner.

5. The learned Special Government Pleader, on instructions, submitted that the petitioner wants to celebrate the Vinayagar Chathurthi Mandagapadi in "Shri Athmananthas Swami Temple" in Nagudi, Aranthandi, Pudukottai District, along with his 60th marriage anniversary and his son's ear piercing ceremony.

6. Since in the representation the petitioner, he has referred to about his rights and privilege in relation to the temple and his affairs, it is not possible to grant permission within a short time without considering the merits of the contentions and the rights of the petitioner. In these circumstances, there cannot be a positive direction in favour of the petitioner. However, this Court is inclined to pass the following direction.

"The second respondent is directed to consider the petitioner's representation dated 18.08.2017 and pass appropriate orders on merits in accordance with law on or before 24.08.2017."

7. With the above directions, this Writ Petition is disposed of. No costs.

8. The petitioner shall pay a cost of Rs.2,000/- (Rupees Two Thousand only) to the credit of the Hon'ble Chief Justice Relief Fund, Madurai Bench of Madras High Court, Madurai, within today, failing which, the order copy shall not be furnished today.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar



To

1.The Superintendent of Police,
Pudukottai District.

2.The Inspector of Police,
Aranthangi Police Station,
Nagudi Post Post - 614 616, Aranthangi,
Pudukottai District.

3.The Sub Inspector of Police,
Nagudi Police Station,
Aranthangi, Pudukottai District.

+1cc to M/S.R.Maheswaran, Advocate SR.No. 74169

W.P. (MD) No.15920 of 2017
23.08.2017

ls/cmr

JM/SV MMS/SAR 2/23.08.2017/3P/5C