



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2017

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

W.P. (MD) No.15925 of 2017

and

W.M.P. (MD) No.12583 of 2017

R.Gnanasekaran

... Petitioner

-Vs-

1.The District Collector,
Madurai District,

2.The Superintendent of Police,
Madurai District.

3.The Deputy Superintendent of Police,
Usilampatti Sub-Division,
Madurai District.

4.The Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents not to grant any permission for the conduct of Vinayagar Sathurthi festival and its interrelated procession scheduled to be taken place from 24th to 27th of this month at S.Pudhupatti Village, Usilampatti Taluk, Madurai District on the strength of my representation dated 15.08.2017.

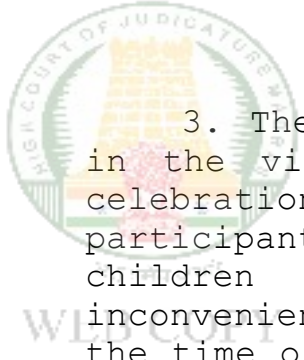
For Petitioner : Mr.R.Anand

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

ORDER

This Writ petition is filed for issuing a Writ of Mandamus seeking a direction to the respondents not to grant any permission for the conduct of Vinayagar Sathurthi festival and its interrelated procession scheduled to be taken place from 24th to 27th of this month at S.Pudhupatti Village, Usilampatti Taluk, Madurai District on the strength of my representation dated 15.08.2017.

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



3. The learned counsel for the petitioner stated that people in the village are not given sufficient protection during the celebration of the festival. It is also stated that many participants are found in intoxicated mood, therefore, the children and women are some time put to harassment or inconvenience. He also pointed out that using of Cone speakers at the time of festival causes hardship to the School going students. It is also stated in one incident an individual life was sacrificed during the festival. But he is not able to bring any material to show that there was loss of a life on account of the celebration of this festival during past.

4. Merely because of some objections to the celebration of festival by individuals, there cannot be prohibition to others to conduct the festival in a peaceful manner, when conduct of festival is permitted, subject to reasonable restrictions that are imposed or available in statute. In all cases, to which permission was refused on similar grounds, which are raised by the petitioner even by the police officials, this Court entertained the Writ Petitions and directed the respondent to give permission and to provide adequate police protection for the conduct of the festival, subject to several restrictions, in order to ensure public order, tranquillity, communal harmony and also to avoid any inconvenience or ill-will affecting the religious sentiments of any other group. However, When an individual made a representation, the respondents are expected to consider and dispose of the same in the manner known to law.

5. Since this Court have is not satisfied with any of the contentions raised by the learned counsel for the petitioner, dismiss this Writ Petition. However, this Court direct the respondent to consider the petitioner's representation dated 15.08.2017 and pass appropriate orders on merits and in accordance with law preferably on or before 25.06.2017. No costs consequently, connected Miscellaneous petition is also closed

Sd/-

Assistant Registrar (AD-II)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai District,

2. The Superintendent of Police,
Madurai District.

3. The Deputy Superintendent of Police,
Usialmpatti Sub-Division,
Madurai District.



4.The Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District.

+1cc to Mr.R.Anand,Advocate,SR.74431

+1cc to M/S.Special Government Pleader,SR.74667

W.P. (MD) No. 15925 of 2017
23.08.2017

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