



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WEB COPY

W.P. (MD) No.19062 of 2017

S.Muthukumar

...Petitioner

-Vs-

The Inspector of Police,
Ayakudi Police Station,
Ayakudi, Thenkasi Taluk,
Tirunelveli District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondent to grant permission to the petitioner to conduct the Sendai Melam in the temple festival from 26.10.2017 from 06.00 pm to 27.10.2017 at 06.00 am as part of the Balamurugan Thirukovil Kandasasti Perunthiruvizha at Ayakudi, Thenkasi Taluk, Tirunelveli District.

For Petitioner : Mr.G.Anbusaravanan

For Respondent : Mr.D.Muruganadam

Additional Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus, to direct the respondent to grant permission to the petitioner to conduct the Sendai Melam in the temple festival from 26.10.2017 at 06.00 pm to 27.10.2017 at 06.00 am as part of the Balamurugan Thirukovil Kandasasti Perunthiruvizha at Ayakudi, Thenkasi Taluk, Tirunelveli District.

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

3.The learned Counsel appearing for the petitioner submitted that every year in the Tamil month of 'Iyppasi', the petitioner's village celebrate Kandasasti Perunthiruvizha at Balamurugan Thirukovil, situated at Ayakudi, Thenkasi Taluk, Tirunelveli District. In this year also, the petitioner's village decided to celebrate the same from 20.10.2017 to 27.10.2017 and also decided to conduct Sendai Melam function in the temple from 26.10.2017 at 06.00 p.m., to 27.10.2017 at 06.00 a.m., as part of the above said festival. In this connection, a representation was given by the petitioner and his men to the respondent on 05.10.2017 to grant permission and police protection. Since, the respondent police has



orally stated that no permission would be granted for the said programme, the petitioner has come before the Court for the abovesaid relief.

4. The learned Counsel for the petitioner stated that the Sendai Melam is meant only for performing the religious ceremony, inside the temple premises and that therefore, permission for such programme may be granted without any time restrictions. The learned Counsel for the petitioner further submitted that the petitioner would be satisfied, if a direction is issued to the respondent to consider his representation dated 05.10.2017 and pass appropriate orders within a stipulated time.

5. Considering the facts and circumstances of this case and having regard to the limited scope of the relief that is now sought, before this Court by the learned counsel for the petitioner, this Court, without going into the merits of the case, is inclined to pass the following direction:

"The respondent is directed to consider the representation of the petitioner dated 05.10.2017, by taking into account that Sendai Melam is only in relation with the temple festival and proposed to perform only inside the premises of the temple at the time of offering worships and other function, and pass appropriate orders thereon, on or before 20.10.2017, after affording due opportunity of hearing to the petitioner."

6. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

The Inspector of Police,
Ayakudi Police Station,
Ayakudi, Thenkasi Taluk,
Tirunelveli District.

+1cc to Mr.G.Anbusaravanan Advocate Sr.No.82583

CMR
VB/SV/MMS/SAR1/13/10/2017/2P/3C

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12.10.2017