



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.10.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No.19723 of 2017

M.Murugaiah Thevar

... Petitioner

-Vs-

1.The Commissioner of Police,
Subramniapuram,
Trichy - 20

2.The Inspector of Police,
(Law and Order),
Cantonment Police Station,
Trichy.

3.The Inspector of Police,
(Law and Order),
Palakkarai Police Station,
Trichy.

4.The Inspector of Police,
(Law and Order),
Gandhi Market Police Station,
Trichy.

5.The Inspector of Police,
(Law and Order),
Fort Police Station,
Trichy.

... Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the first respondent to direct the other respondents to give permission and protection for the Mulaipari Procession, Palkudam, Annathanam and providing educational aids on 29.10.2017 and 30.10.2017 as scheduled by the petitioner by considering his representation dated 22.09.2017.

For Petitioner : Mr.N.V. Nagenthiran

<https://hcservices.ecourts.gov.in/hcservices> For Respondents : Mr.D.Muruganantham
Additional Government Pleader.

O R D E R

This Writ Petition has been filed for issuing a Writ of Mandamus directing the first respondent to direct the other respondents to give permission and protection for the Mulaipari Procession, Palkudam, Annathanam and providing educational aids on 29.10.2017 and 30.10.107.

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

3. In the representation submitted by the petitioner it is stated that the permission was sought for to conduct the procession from Cauvery River to the Thevar statute which is located near the Central Bus Stand, Trichy.

4. The learned Additional Government Pleader appearing for the respondent submitted the counter affidavit of second respondent wherein it is specifically stated that giving permission from Cauvery River to the Thevar Statute at Central Bus Stand is not possible and granting such permission will cause immense hardship to the public, particularly in view of the fact that procession supposed to cross busy areas and during peak hours it cannot be permitted. It is further stated by the second respondent that the second respondent has no objection for giving permission to the procession from "Vazhividu Murugan temple" to "Thevar Statute".

5. Considering the reasons stated by the second respondent and the various averments made in the counter affidavit it is to be noted that the Inspector of Police, concerned Police Station has no objection for this procession respecting sentiments of the petitioner and his persons.

6. Having regard to public convenience and other factors indicated in the counter affidavit this Court is also of the view that the objections by the second respondent cannot be termed as a unreasonable. In that view of the matter the second respondent is directed to give permission and provide adequate police protection to the petitioner for conducting procession only from "Vazhividu Murugan Temple" to "Thevar Statute". It is also open to the second respondent to put any other reasonable restrictions to ensure law and order and communal harmony.

7. With the above direction, the Writ Petition is disposed of.
Sd/-

Assistant Registrar (CS-II)



To

1.The Commissioner of Police,
Subramniapuram,
Trichy - 20

2.The Inspector of Police,
(Law and Order),
Cantonment Police Station,
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3.The Inspector of Police,
(Law and Order),
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5.The Inspector of Police,
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Trichy.

+1CC to Mr.V.Nagenthiran, Advocate, SR.No.84041
+1CC to the Special Government Pleader SR.No.84070

W.P. (MD) No.19723 of 2017
27.10.2017

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AM/SV MMS/SAR 1/27.10.2017/3P/8C