



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2017

CORAM

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

W.P.(MD) No.23123 of 2017

WEB COPY

S.Mohideen Abdul Kader

... Petitioner

-Vs-

1.The Superintendent of police,
Tirunelveli District,
Tirunelveli.

2.The Assistant Superintendent of Police,
Nanguneri,
Tirunelveli District.

3.The Inspector of Police,
Earvadi Police Station,
Earvadi,
Tirunelveli District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to grant permission and police protection to celebrate the kanthoori festival of Pacha Pillai Ammal Dharga at Earuvadi, Nanguneri Taluk, Tirunelveli District on 20.12.2017 to 22.12.2017 and 24.12.2017 with sound and light programme on all days and the Chendamelam and the above Dharga Flag procession in an elephant only on 20.12.2017 by considering his representation dated 13.12.2017.

For Petitioner

: Mr.S.R.Anbarasu

For Respondents

: Mr.D.Muruganantham

Additional Government Pleader

ORDER

This petition has been filed for seeking a Writ of Mandamus, directing the respondents to grant permission and police protection to celebrate the kanthoori festival of Pacha Pillai Ammal Dharga at Earuvadi, Nanguneri Taluk, Tirunelveli District on 20.12.2017 to 22.12.2017 and 24.12.2017 with sound and light program on all days and the Chendamelam and the above Dharga Flag procession in an elephant only on 20.12.2017 by considering his representation dated 13.12.2017.



2. Heard Mr.S.R.Anbarasu, learned counsel appearing for the petitioner and Mr.D.Muruganantham, learned Additional Government Pleader appearing for the respondents.

3. Though permission was given but request to conduct procession led by elephant and for conducting Chandamelam was denied. The petitioner states that programme was postponed and therefore a fresh representation was given on 13.12.2017. When permission was denied citing law and order, petitioner has to challenge the order. Similar objection is raised now by the official respondents.

4. Having regard to the the nature of event and chandamelam is permitted in every temple in relation to religious festival permission can be given. However, conducting procession involving elephant cannot be considered within a short time as it involves collecting several information and consultation. Hence, the second respondent is directed to consider the representation dated 13.12.2017 for playing Chendamelam in connection with the Kanthoori festival on or before 19.12.2017.

5. In view of the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

To:

1. The Superintendent of police,
Tirunelveli District,
Tirunelveli.
2. The Assistant Superintendent of Police,
Nanguneri,
Tirunelveli District.
3. The Inspector of Police,
Earvadi Police Station,
Earvadi,
Tirunelveli District.

+1cc to Mr.S.R.ANBARASU, Advocate, SR.93257
+1cc to M/S.Special Government Pleader, SR. 93355
VSG
KK/SV MMS/SAR 4/18.12.2017/ 2P- 6C/