



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P(MD)No.5039 of 2017

C.Muthiah

.. Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Sankarankovil Taluk Circle Police Station,
Sankarankovil,
Tirunelveli District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the rejection order passed by the second respondent dated 19.03.2017 and to quash the same and consequently direct the respondents to give permission and protection to perform the cultural programme of Adal Padal (Kalai Nigaltchi) on 09.04.2017 in connection with the Panguni Uthiram Festival of Arulmighu Uchi Udaiyar Kovil at Veeriruppu Village, Sankarankovil, Tirunelveli District.

For Petitioner : Mr.S.Veluchamy

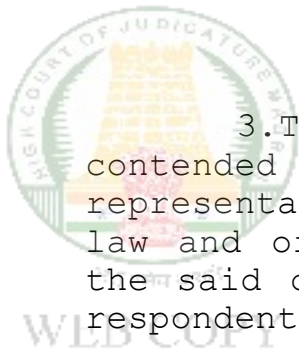
For Respondents : Mr.K.Guru,
Additional Government Pleader.

ORDER

[Order of the Court was made by **A.SELVAM, J.**]

This Writ Petition has been filed under Article 226 of the Constitution of India praying to call for records relating to the rejection order passed by the second respondent and quash the same, by way of issuing a Writ of Certiorarified Mandamus.

2.Mr.K.Guru, learned Additional Government Pleader, has taken notice for the respondents.



3.The learned counsel appearing for the petitioner has contended that the second respondent, even without considering the representation properly, has rejected the same on the ground of law and order problem and no occurrence would take place. Under the said circumstances, the rejection order passed by the second respondent is liable to be quashed.

4.The learned Additional Government Pleader appearing for the respondents has also fairly conceded to the effect that by way of conducting Adal Padal programme, no untoward incident would happen.

5.Considering the rival contentions putforth on either side, this Court is inclined the pass the following order.

6.In fine, this Writ Petition is allowed in part without costs and the rejection order, dated 19.03.2017 passed by the second respondent is quashed. However, the second respondent is directed to look into the representation alleged to have been given by the petitioner and dispose of the same on merits within a period of two days and if any untoward incident is happened at the time of performing Adal Padal programme, the petitioner is solely responsible.

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Office of the Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Sankarankovil Taluk Circle Police Station,
Sankarankovil,
Tirunelveli District.

+1cc to Mr.S.Veluchamy, Advocate, SR.No:16911
+1cc to Mr. Special Government Pleader, SR.No:17605

ps
AE/SKN/SAR4/27.03.2017/2P/5C