



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

W.P. (MD) .No.5044 of 2017

M.Paulpandian

S/o.Masanamuthu Nadar,

The President of Hindu Nadar,

Samuthayam Vadalivilai,

Sannathi Street,

Kottar Post,

Agasteeswaram Taluk,

Kanyakumari District.

.. Petitioner

Vs.

1.The Deputy Superintendent of Police,
Nagercoil,
Kanyakumari.

2.The Inspector of Police,
Kottar Police Station,
Kottar, Kanyakumari District.

.. Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to grant adequate police protection to perform the Kodai festival of Arulmigu Sudalaimadan Temple during the Kaalnattu function on 07.04.2017 followed by Kodai festival on 11.05.2017, 12.05.2017 and 13.05.2017 and Ettaam Naal Kodai festival on 19.05.2017 in a peaceful manner in Vadalivilai Village, Kottar Post, Agastheeswaram Taluk, Kanyakumari District by considering the petition presented by the petitioner, dated 12.03.2017.

For Petitioner :Mr.N.GA.Natraj

For Respondents :Mr.T.S.Mohammed Mohindeen for R1 & R2
Additional Government Pleader

ORDER

This writ petition has been filed seeking for a direction to the respondents to grant adequate police protection to perform the Kodai festival of Arulmigu Sudalaimadan Temple during the Kaalnattu function on 07.04.2017 followed by Kodai festival on 11.05.2017, 12.05.2017 and 13.05.2017 and Ettaam Naal Kodai festival on 19.05.2017 in a peaceful manner in Vadalivilai Village, Kottar Post, Agastheeswaram Taluk, Kanyakumari District

by considering the petition presented by the petitioner, dated 12.03.2017.

2. The learned counsel for the petitioner submitted that the petitioner has given a representation, dated 12.03.2017 to the police praying for giving adequate police protection to perform the Kodai festival of Arulmigu Sudalaimadan Temple during the Kaalnattu function on 07.04.2017 and on subsequent dates.

3. Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader, submitted that a case in Cr.No.152 of 2016 has been registered on 11.03.2016 under Section 107 Cr.P.C. in connection with the festivities of the same temple and therefore, any action can be taken only after the proceedings are completed.

4. In the considered opinion of this Court, it is for the police authorities to decide as to the law and order problem that may likely arise when such festivals are conducted and it is not open for this Court to issue directions as prayed for by the petitioner. Therefore, this Court directs the respondent police to consider the representation of the petitioner dated 12.03.2017, and taking into consideration the law and order situation, either grant permission or refuse permission as the case may be as expeditiously as possible. With the above direction, the writ petition is closed. No costs.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1.The Deputy Superintendent of Police,
Nagercoil,
Kanyakumari.

2.The Inspector of Police,
Kottar Police Station,
Kottar, Kanyakumari District.

+1CC to M/S.N.Ga.Natraj, Advocate, SR.No. 17300
+1CC to the Special Government Pleader SR.No. 17637

Order made in
W.P. (MD) .No.5044 of 2017
23.03.2017