



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :11.01.2017

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THE HON'BLE MR.JUSTICE B.GOKULDAS

W.P(MD)No.535 of 2017

P.Murugan

... Petitioner

vs.

The Inspector of Police,
Nagamalai Pudhukottai Police Station,
Nagamalai Pudhukottai,
Madurai District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order dared 08.01.2017 on the file of the respondent and to quash the same as illegal and arbitrary and consequently direct the respondent to give permission for conducting Aadal Paadal dance program scheduled to be conducted on 16/1/2017 and give police protection for peaceful performance at Mandhai Thidal in the eve on Thottichiamman Temple festival in OnthiMalai Village, Karadipatti, Nagamalai Pudhukottai, Madurai District.

For Petitioner : Mr.K.Ganesh Kumar

For Respondent : Mr.K.P.Krishnadoss
Government Advocate

O R D E R

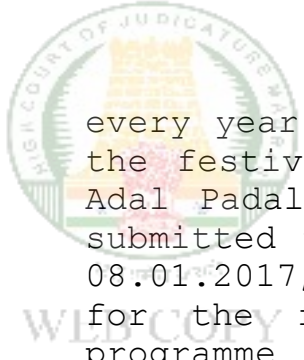
The writ petition has been filed for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order dared 08.01.2017 on the file of the respondent and to quash the same as illegal and arbitrary and consequently direct the respondent to give permission for conducting Aadal Paadal dance program scheduled to be conducted on 16/1/2017 and give police protection for peaceful performance at Mandhai Thidal in the eve on Thottichiamman Temple festival in OnthiMalai Village, Karadipatti, Nagamalai Pudhukottai, Madurai District.

2.Mr.K.P.Krishna Doss, learned Government Advocate, takes notice for the respondent. By consent, the writ petition itself is taken up for final disposal.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent.

<https://hcservices.ecourts.gov.in/hcservices/>

4. The learned counsel appearing for the petitioner would submit that the village people celebrating the temple festival



every year in a peaceful manner. Likewise, they decided to conduct the festival this year also and further, they decided to conduct Adal Padal programme on 16.01.2017. The petitioner would further submitted that he gave an application to the second respondent on 08.01.2017, seeking permission and for adequate police protection for the festival as well as for conducting the Adal padal programme on 16.01.2017. However, the respondent police rejected the application to provide police protection at the time of conducting Adal padal programme. Hence, the petitioner is before this Court with this writ petition.

5.The learned Government Advocate appearing for the respondent would submit that the permission sought for by the petitioner has been rejected on the ground that there is likelihood of communal and law and order problem.

6.However, the rejection order dated 08.01.2017 did not disclose any specific reason. The order is very general in stating that there is likelihood of law and order problem.

7. It is not in dispute that the impugned order has been passed without providing opportunity to the petitioner and on that ground, the impugned order is set aside. The respondent police shall consider the representation of the petitioner dated 08.01.2017 afresh, and pass orders, upon the prevailing situations on or before 15.01.2017, as the said programme is scheduled to be held on 16.01.2017.

8. Accordingly, this Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar(Crl.side)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To
The Inspector of Police,
Nagamalai Pudhukottai Police Station,
Nagamalai Pudhukottai,
Madurai District.

+1cc to M/s.K.Ganesh Kumar, Advocate in SR.2086

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11.01.2017

pjl

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