



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.01.2017

CORAM:

**THE HONOURABLE MR.JUSTICE A.SELVAM**

and

**THE HONOURABLE MR.JUSTICE P.KALAIYARASAN**

W.P(MD)No.780 of 2017

and

W.M.P(MD)No.633 of 2017

S.Justin Thiraviam

.. Petitioner

Vs.

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

2.The Deputy Superintendent of Police,  
Cherenmahadevi, Tirunelveli District.

3.The Inspector of Police,  
Mukkudal Police Station,  
Cheranmahadevi Taluk,  
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 relating to the impugned order passed by the second respondent in Na.Ka.No.04/Se.Mu.Aa/Ka.Thu.Ka/Cherai/2017, dated 07.01.2017 and quash the same as illegal and consequently direct the respondents to permit the petitioner to conduct Kabadi Tournament on 25.01.2017 from 09.00 p.m. to 08.00 a.m. under light at Sivanthi Adhithanar Play Ground, situated at St.Paul Higher Secondary School, Singamparai in pursuance of the festival of St.Chinnappar Church, Singamparai, Mukkudal Via., Cherenmahadevi Taluk, Tirunelveli District.

For Petitioner

: Mr.S.R.Anbarasu

For Respondents

: Mr.M.Govindan,  
Special 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 proceedings dated 07.01.2017 passed in Na.Ka.No.04/Se.Mu.Aa/



Ka.Thu.Ka/Cherai/2017 by the second respondent and quash the same, by way of issuing a writ of certiorarified mandamus.

2.The learned counsel appearing for the petitioner has contended to the effect that in every year festival has been conducted in the Church mentioned in the petition, but the second respondent without considering the customary practice, has erroneously dismissed the representation given by the petitioner by way of issuing the impugned proceedings and therefore the same is liable to be quashed.

3.The learned Special Government Pleader appearing for the respondents has also equally contended that in previous years namely 2004, 2013 and 2015, some criminal cases have been registered and under the said circumstances the second respondent has rightly rejected the request made on the side of the petitioner.

4.Considering the fact that the occurrences are said to have takenplace in the years mentioned supra and also considering that every year such festival has been conducted in the Church mentioned in the petition, this Court is inclined to pass the following order.

5.In fine, this writ petition is allowed without costs and the proceedings dated 07.01.2017 passed in Na.Ka.No.04/Se.Mu.Aa/Ka.Thu.Ka/Cherai/2017 by the second respondent is quashed. The petitioner is directed to give a fresh representation to the second respondent and the second respondent is directed to look into the same and pass appropriate orders within a period of three days. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Writs)

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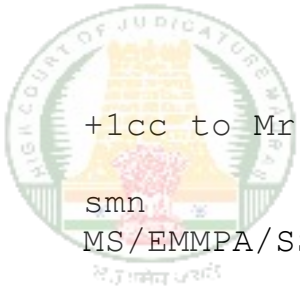
Sub Assistant Registrar

To

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

2.The Deputy Superintendent of Police,  
Cherenmahadevi, Tirunelveli District.

3.The Inspector of Police,  
Police Station,  
Cheranmahadevi Taluk,  
Tirunelveli District.



+1cc to Mr.S.R Anbarasu, Advocate, SR No3525

smn

MS/EMMPA/SS3/23.01.2017.3P.5C

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ORDER MADE IN  
W.P (MD) No.780 of 2017  
and  
W.M.P (MD) No.633 of 2017  
23.01.2017