



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 26.04.2017
CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P (MD) No.7949 of 2017

P.Sathiyaseelan

.. Petitioner

Vs.

1.The Deputy Superintendent of Police,
District Crime Branch,
Periyakulam Division (Incharge),
Theni District.

2.The Sub-Inspector of Police,
Thenkarai Police Station,
Periyakulam, Theni 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 impugned order in Na.Ka.No.08/Pothu/Vu.Ko.Aa-Pe/17 passed by the first respondent dated 12.04.2017 and quash the same and consequently direct the respondents to grant permission to perform the cultural program of Adal Padal programme on 03.05.2017 night at about 08.00 PM to 12.00 PM at Arulmigu Sri Mariamman & Kaliyamman Thirukovil situated at Vadugapatti, Periyakulam Taluk, Theni District and to provide adequate police protection based on the petitioner's representation, dated 10.04.2017.

For Petitioner

: Mr.C.Bethanasamy

For Respondents

: Mr.T.S.Mohammed Mohideen,
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 impugned order dated 12.04.2017 passed by the first respondent and quash the same, by way of issuing a Writ of Certiorarified Mandamus.



2. Mr. T. S. Mohammed Mohideen, learned Additional Government Pleader, has taken notice for the respondents.

3. It is seen from the records that the petitioner has given a representation for the purpose mentioned therein, but the first respondent has rejected the same by way of passing the impugned order, wherein it has been simply stated that due to law and order problem, permission cannot be granted. The reason assigned by the first respondent cannot be accepted and therefore this Court is inclined to pass the following order.

4. In fine, this Writ Petition is allowed in part without costs and the impugned order dated 12.04.2017 passed by the first respondent is quashed. The first respondent is directed to look into the representation alleged to have been given by the petitioner afresh and pass suitable orders on merits within a period of two days.

Sd/-

Assistant Registrar (RTI Act)

/True Copy/

Sub-Assistant Registrar

To

1. The Deputy Superintendent of Police,
District Crime Branch,
Periyakulam Division (Incharge),
Theni District.

2. The Sub-Inspector of Police,
Thenkarai Police Station,
Periyakulam, Theni District.

+One cc to The Special Government Pleader, SR.No.54999

+One cc to Mr. C. Bethanasamy, Advocate, SR.No.54233

ps

RL/5C/2P/SV/SAR3/28.4.2017