



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.05.2017

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE P.N.PRAKASH

W.P (MD) No.8791 of 2017

A.Palanivel

: Petitioner

vs.

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar District,
Virudhunagar.
- 2.The Deputy Superintendent of Police,
Aruppukottai Sub-Division,
Virudhunagar District.
- 3.The Inspector of Police,
Mallankinaru Police Station,
Virudhunagar District.

: Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus directing the respondents to grant permission and to provide adequate police protection to celebrate festival of Arulmigu Angalaeaswari, Valagurunathasamy, Karuppanasamy and Gramadevathaikal temple at Manthoppu Village in Virudhunagar District from 19.05.2017 to 01.06.2017.

For Petitioner

: Mr.S.Malaikani

For Respondents

: Mr.D.Muruganandam
Addl. Govt. Pleader

O R D E R

The writ petition has been filed to direct the respondents to grant permission and to provide adequate police protection to celebrate festival at Arulmigu Angalaeaswari, Valagurunathasamy, Karuppanasamy and Gramadevathaikal temple, Manthoppu Village, Virudhunagar District, from 19.05.2017 to 01.06.2017.



2.Today, Mr.K.Veeramani, Sub Inspector of Police, Mallankinaru Police Station, Virudunagar District, is present.

3.It is seen that the petitioner has given a representation dated 03.05.2017, and on the same day, the present writ petition has been filed for the above prayer. Therefore, on that short ground, the writ petition deserves to be dismissed. However, the learned counsel for the petitioner submitted that the petitioner approached the respondents police seeking grant of permission and police protection for the peaceful conduct of the festival at Arulmigu Angalaeaswari, Valagurunathasamy, Karuppanasamy and Gramadevathaikal temple, from 19.05.2017 to 01.06.2017, but the police have not taken any action, in this regard.

4.Per contra, the learned Additional Government Pleader submitted that tension between two groups is prevailing in that area on account of a murder that had taken place recently, for which cases in Crime Nos.93 of 2016 and 121 of 2016 have been registered.

5.In the considered opinion of this court, whether to grant permission and bandobust is a decision to be taken by the local police, taking into consideration the various factors including communal/caste conflict or any other law and order problem. Therefore, this court cannot issue a positive direction to the respondents to give permission and police bandobust, as prayed for by the petitioner. However, this court directs the third respondent police to look into all these aspects and take a call as to whether permission and bandobust should be given as requested by the petitioner.

6.With the above observation, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub-Assistant Registrar

To:

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar District, Virudhunagar.
- 2.The Deputy Superintendent of Police,
Aruppukottai Sub-Division, Virudhunagar District.
- 3.The Inspector of Police, Mallankinaru Police Station,
Virudhunagar District.

+One cc to Mr.S.Malaikani, Advocate, SR.No.55618

+One cc to The Special Government Pleader, SR.No.55786