



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.05.2017

WEB COPY

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

and

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P (MD) No.8853 of 2017

and

W.M.P (MD) No.6790 & 6791 of 2017

T.Chandran

... Petitioner

vs.

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

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records in relating to the impugned order passed by the respondent in his proceedings in Ka.No.2/2017 dated 02.05.2017 and quash the same and consequently direct the respondent to give police protection to conduct the temple festival on 11.05.2017 to 13.05.2017.

For Petitioner : Mr.J.Senthil Kumar

For Respondent : Mr.V.Muruganandhan,
Additional Government Pleader.

O R D E R

This Writ Petition has been filed for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the respondent in his proceedings in Ka.No.2/2017 dated 02.05.2017, and quash the same with the consequential direction to the respondent to give police protection to conduct the temple festival on 11.05.2017 to 13.05.2017.

2. The request of the petitioner to conduct the village festival of Shri Sudalaimadasamy Temple was refused, by the impugned order citing a reason that granting permission to one group will create law and order problem and also public nuisance. The impugned order further says that in view of the public nuisance created by two groups of people in the said village, the police have initiated proceedings under Section 107 Cr.P.C on 11.03.2016 and it is pending.



3. Mr.V.Muruganandham, learned Additional Government Pleader, takes notice for the respondent and Mr.Manimaran, learned counsel for intervener sought permission to intervene into this matter and thereupon requested the Court not to pass any order today itself. However, the learned Additional Government Pleader submitted that a direction may be given to both parties to approach the Tahsildar, Agastheeswaram Taluk for conducting a Peace Committee Meeting by inviting both parties and only after finding a resolution, decision to celebrate the temple festival, can be taken.

4.We find force in the submission made by the Additional Government Pleader when the impugned order also speaks about the possible outbreak of law and order situation, it would be appropriate to direct the Tahsildar, Agastheeswaram Taluk to hold a Peace Committee Meeting and before holding any such meeting, he is directed to invite both parties by giving reasonable time and after deliberation, he shall take a decision, which will bind both parties. The peace committee meeting shall be held on 12.05.2017 at 10.00 a.m after giving intimation to all the parties concerned.

5.With the above direction, the writ petition is disposed of. No costs. Consequently, the connected Miscellaneous Petitions are also closed.

Sd
ASST REGISTRAR (CRL SIDE)

TRUE COPY

SUB ASST REGISTRAR

SM/CP/Ns

To

1.The Tahsildar Agastheeswaram Taluk, Kanyakumari District.

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

3.The Additional Government Pleader,
Madurai Bench of Madras High Court, Madurai.

2cc TO MR. J.SENTHIL KUMAR, ADVOCATE SR: 56430

MAS JC SAR 4

2P 6C

W.P(MD)No.8853 of 2017
and W.M.P(MD) No.6790 & 6791 of 2017
11.05.2017