



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.05.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

and

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P(MD)No.8979 of 2017
and W.M.P.No.6859 of 2017

P.Subbiah

.. Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District, Tirunelveli

2.The Assistant Superintendent of Police
Cheranmahadevi Division,
Tirunelveli District

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

.. Respondents

Common prayer:Writ Petitions are filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the 2nd respondent vide Na.Ka.No.36/Se.Mu.Aa/U.Kaa.Ka/Cherai/2017 dated 06.05.2017 and quash the same as illegal and consequently direct the 3rd respondent to give permission and protection to perform the "Innisai Katcheri" programme schedule to be conducted on 14.05.2017 and 15.05.2017 at about 9.00 p.m. to 12.00 p.m. respectively in connection with temple festival namely, "Kodai Vizha festival" in "Arulmighu Seetha Devi Samatha Sree Ramasamy Temple" situated at Mukkoodal, Cheranmahadevi Taluk, Tirunelveli District.

For Petitioners : Mr.S.Krishnan

For Respondents : Mr.V.Muruganandham

Additional Government Pleader

ORDER

(Order of the Court was made by **T.RAJA, J.**)

The petitioner has come before this Court seeking for a
<https://hcservices.ecourts.gov.in/hcservices/> Writ of Certiorarified Mandamus to call for the
records relating to the impugned order passed by the 2nd respondent



vide Na.Ka.No.36/Se.Mu.Aa/U.Kaa.Ka/Cherai/2017 dated 06.05.2017 and quash the same as illegal and consequently direct the 3rd respondent to give permission and protection to perform the "Innisai Katcheri" programme schedule to be conducted on 14.05.2017 and 15.05.2017 at about 9.00 p.m. to 12.00 p.m. respectively in connection with temple festival namely, "Kodai Vizha festival" in "Arulmighu Seetha Devi Samatha Sree Ramasamy Temple" situated at Mukkoodal, Cheranmahadevi Taluk, Tirunelveli District.

2.The petitioner, claiming to be the President of the Temple Committee at Mukkoodal, Cheranmahadevi Taluk, Tirunelveli District, has made arrangement for Kodai Vizha from 14.05.2017 to 15.05.2017 in connection with temple festival, namely, "Arulmighu Seetha Devi Samatha Sree Ramasamy Temple" situated at Mukkoodal, Cheranmahadevi Taluk, Tirunelveli District. Therefore, he approached the 3rd respondent to give permission and protection to perform the Innisai Katcheri programme during the festival. However, the same has been rejected on the ground that two criminal cases are pending, viz., in Crime No.53/2015 for offences under Sections 147, 294(b), 324 and 506(ii) IPC and Crime No.57/2017 for offences under Sections 341, 294(b), 323, 379(NH) and 506(ii) IPC on the file of the Mukkoodal Police Station and granting permission in such situation would aggravate the problem. Therefore, the petitioner is before this Court with the aforesaid prayer.

3.The learned Additional Government Pleader appearing for the respondents, on instructions from the Sub Inspector of Police, who is present before this Court, submitted that since the problems are under control, there would not be any further impediment for granting permission to hold the Kodai Vizha festival, however, with abundant caution.

4.Therefore, we direct the Tahsildar, Cheranmahadevi, Tirunelveli District to hold a peace committee meeting by inviting the representatives of different groups, who are responsible for conducting the festival peacefully and take a decision and only on the basis of the decision going to be taken by the Tahsildar in the peace committee meeting, the petitioner shall proceed further in celebrating the village festival.

5. With the above direction, this writ petition is disposed of. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Vacation Officer

/True copy/



To

1. The Superintendent of Police,
Tirunelveli District,
Tirunelveli

2. The Assistant Superintendent of Police
Cheranmahadevi Division,
Tirunelveli District

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

4. The Tashildar, Cheranmahadevi,
Tirunelveli district.

+1cc to M/s.S.Krishnan, Advocate, in SR No.56436

+1cc to Special Government Pleader in SR.No. 56473

ORDER MADE IN
W.P(MD)No.8979 of 2017
and W.M.P.Nos.6859 of 2017
11.05.2017

RR

MKV-RSK-SAR 3/12.5.2017/3P-7C