



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2018

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR**

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W.P.(MD) No.7653 of 2018

R.M.R.Senthilan,  
S/o.Rajaram,  
Secretary,  
Vadakkankulam Sri Athisaiya Vinayagar  
Aalaya Nirvaga Sangam,  
Ambal Nagar, Vadakkankulam,  
Radhapuram Taluk, Tirunelveli District.

... Petitioner

Vs.

The Inspector of Police,  
Panangudi Police Station,  
Panagudi,  
Tirunelveli District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the respondent dated 14.03.2018 and quash the same and consequently direct the respondent to grant permission for conducting the temple festival including Pattimandram, Cultural activities, Musical Orchestra to be held on 20.04.2018 to 29.04.2018 every day from 08.30 a.m. to 01.00 a.m. in the eve of Chithirai Festival of Sri Athisaiya Vinayagar Temple, Ambal Nagar, Vadakkankulam, Radhapuram Taluk, Tirunelveli District.

For Petitioner : Mr.V.Sasi kumar  
For Respondent : Mr.P.Kannidevan  
Additional Government Pleader

**ORDER**

This writ petition has been filed seeking to quash the impugned order passed by the respondent dated 14.03.2018 and consequently direct the respondent to grant permission for conducting the temple festival including Pattimandram, Cultural activities, Musical Orchestra stated to be held on 20.04.2018 to 29.04.2018 every day from 08.30 a.m. to 01.00 a.m. in the eve of Chithirai Festival of Sri Athisaiya Vinayagar Temple, Ambal Nagar, Vadakkankulam, Radhapuram Taluk, Tirunelveli District.



respondent.

3. According to the petitioner, the respondent police has granted permission to conduct the temple festivals viz., Pattimandram, cultural activities, musical orchestra to be held on 20.04.2018 to 29.04.2018 up to 10.00 p.m. Challenging the aforesaid portion of the order, this Writ Petition has been filed.

4. The learned counsel appearing for the petitioner would submit that during the festival period, poojas in the said temple are performed upto 09.00 p.m. Thereafter, the other programmes are scheduled to be conducted upto 01.00 a.m. But the respondent has granted permission to conduct festivals only upto 10.00 pm. and in order to extend the time upto 01.00 am, this writ petition has been filed.

5. The learned Additional Government Pleader appearing for the respondent would submit that if permission is granted as sought by the petitioner, that will create nuisance to the general public and the respondent has rightly restricted the time schedule upto 10.00 pm.

6. A perusal of the impugned order would go to show that permission was granted only upto 10.00 pm. to conduct the cultural programmes. Further, it is seen from the typed set of papers that during temple festival, the petitioner has also organized an orchestra programme. If the programmes as sought by the petitioner are allowed to be conducted till 01.00 am, the same will definitely cause disturbance to the general public. Hence, the relief sought by the petitioner cannot be granted. However, in earlier writ petitions, this Court has granted time upto 10.30 pm. to conduct the cultural programmes. Therefore, in this case also, this Court, extend the time upto 10.30 pm, and consequently, the impugned order is modified to the above extent only.

8. This writ petition is allowed only to the extent of modification in the time to conduct the programmes. The remaining conditions imposed by the respondent stand unaltered. No costs.

Sd/-

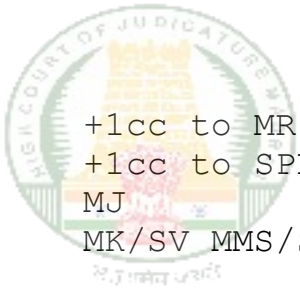
Assistant Registrar (cs-iii)

/True Copy/

Sub Assistant Registrar

To

The Inspector of Police,  
Panagudi,  
Tirunelveli District.



+1cc to MR.V.SASI KUMAR, Advocate SR.No.61570  
+1cc to SPECIAL GOVERNMENT PLEADER, SR.No.61644  
MJ  
MK/SV MMS/SAR 3/19.04.2018/3P/4C

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