



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

W.P(MD) No.126 of 2018

and

W.M.P. (MD) No.138 of 2018

Sudalai Muthu

... Petitioner

-Vs-

1. The Deputy Superintendent of Police,
Alankulam Sub Division,
Tirunelveli District.

2. The Sub Inspector of Police,
Pavurchathiram Police Station,
Tirunelveli District.

3.Thangavel Padaiyatchi

4.Sankar

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue writ of mandamus directing the second respondent to consider the representation of the petitioner dated 02.01.2018 and provide adequate police protection for conducting Poojas at Sri Periyasamy temple, Keelapavur Village, Tirunelveli District, scheduled to be held on 05.01.2018.

For Petitioner : Mr.M.Vaikam Karunanithi
For Respondents : Mr.K.Anbarasan
Additional Government Pleader
for R-1 & 2

O R D E R

This writ petition has been filed to direct the second respondent to consider the representation of the petitioner dated 02.01.2018 and provide adequate police protection for conducting Poojas at Sri Periyasamy temple, Keelapavur Village, Tirunelveli District, scheduled to be held on 05.01.2018.



2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the first and second respondents .

3. The learned counsel appearing for the petitioner submitted that there was an agreement between the petitioner and the respondents 3 and 4. As per the said agreement, the petitioner is entitled to perform the Iyyappa Kanni Poojas and Annadhanam at Sri Periyasamy temple, Keelapavur Village, Tirunelveli District. He further submitted that the petitioner has fixed the date to perform the aforesaid Poojas on 05.01.2018. He further submitted that though the first respondent has initially granted permission to conduct Poojas on 20.12.2017, subsequently, he refused to give permission to perform the Poojas on 05.01.2018, stating that the respondents 3 and 4 are raising objections.

4. The learned Additional Government Pleader has submitted that since the respondents 3 and 4 are raising objections, the first respondent is not giving any permission to the petitioner to perform Poojas on 05.01.2018.

5. Taking into consideration of the aforesaid submissions, the first respondent is directed to conduct enquiry with reference to the alleged agreement and pass appropriate orders, without affecting the rights of the both parties.

6. With the aforesaid observations, this writ petition is closed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Deputy Superintendent of Police,
Alankulam Sub Division,
Tirunelveli District.
2. The Sub Inspector of Police,
Pavurchathiram Police Station,
Tirunelveli District.

+1CC TO M/S.V.SASIKUMAR, ADVOCATE, SR NO.40699

W.P (MD) No.126 of 2018
05.01.2018