



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2018

WEB COPY

CORAM

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

W.P. (MD) No.1374 of 2018

R.V.Chelladurai

...Petitioner

-Vs-

1.The Deputy Superintendent of Police,
Tenkasi Division,
Tirunelveli District.

2.The Inspector of Police,
Achanputhoor Police Station,
Achanputhoor,
Tirunelveli District.

3.The Sub-Inspector of Police,
Elathur Police Station,
Elathur,
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings in Na.Ka.No/71/து.கா.க.த.அ/2017 dated 21.01.2018 of the 1st respondent and to quash the same, consequently directing the respondents to grant permission and necessary protection to perform "Chanda Melam" on 30.01.2018 at 12.00 noon and 04.00 p.m. in the eve of Arulmigu Alagiya Nayagi Amman Thirukovil "Kodaivizha" at Elathur Keela Street, Tenkasi, Tirunelveli District.

For Petitioner : Mr.T.S.Mohamed Mohideen

For Respondents : Mr.V.Anand
Government Advocate

**ORDER**

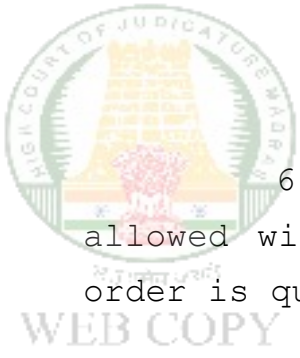
This writ petition has been filed to quash the order passed by the first respondent dated 21.01.2018 and to direct the respondents to grant permission and necessary protection to perform "Chanda Melam" on 30.01.2018 between 12.00 noon and 04.00 p.m., in the eve of Arulmigu Alagiya Nayagi Amman Thirukovil "Kodaivizha" at Elathur Keela Street, Tenkasi, Tirunelveli District.

2.It is averred in the petition that the petitioner is a resident of Elathur village, Tenkasi Taluk, Tirunelveli District. Further it is averred in the petition that on 29.01.2017 and 30.01.2017, a festival is going to be conducted in Arulmighu Alagiya Nayagi Amman Temple and to that extent, the first respondent has given permission. But the first respondent has imposed a condition to the effect that Chenda Melam should not be used. Under the said circumstances, the present writ petition has been filed for getting the relief sought for therein.

3.Mr.V.Anand, learned Government Advocate has taken notice for the respondents.

4.It is seen from the impugned order that the festival mentioned in the petition is going to be conducted at 12.00 noon on 30.01.2018. It is also seen from the impugned order that the first respondent as condition No.12 has imposed the condition mentioned supra.

5.Considering the time of festival and also considering the fact that by way of utilising the instrument mentioned in condition No.12, nobody is going to be affected, this Court is of the view to quash condition No.12 imposed by the first respondent and therefore the present writ petition is liable to be allowed.



6. With the aforesaid observation, this writ petition is allowed without costs and condition No.12 imposed in the impugned order is quashed and permitted to use Chenda Melam during festival.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Deputy Superintendent of Police,
Tenkasi Division, Tirunelveli District.
2. The Inspector of Police,
Achanputhoo Police Station,
Achanputhoo, Tirunelveli District.
3. The Sub-Inspector of Police,
Elathur Police Station,
Elathur, Tirunelveli District.

+1cc to M/S.T.S.MOHAMED MOHIDHEEN, Advocate SR.No.43848
+1cc to Special Government Pleader in SR.No.44359.

W.P. (MD) No.1374 of 2018
24.01.2018

rmk
SDS/SKN:RSK/SAR 3/29.01.2018/3P/6C