



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

W.P.(MD) No.1762 of 2018

and

W.M.P.(MD) No.1886 of 2018

B.Gnana Selvam

...Petitioner

-Vs-

1.The Superintendent of Police,
Theni District, Theni.

2.The Inspector of Police,
Allinagaram Police Station,
Theni District, Theni.

... 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 order dated 28.01.2018 of the second respondent and to quash the same, consequently directing the Respondents to grant permission and necessary Police Protection to perform the cultural programme (ie) Adal Padal Dance Programme on 31.01.2018 at 6.00 p.m to 11.00 p.m in the Festival of Kumbabiseham Arulmighu Sri Kaliasman Thirukovil at Sukkuvaden patti, Theni District.

For Petitioner :Mr.V.Manikandan

For Respondents :MrV.Anand
Government Advocate
for R1 & R2

ORDER

This writ petition has been filed to quash the impugned order passed by the second respondent dated 28.01.2018 and consequently direct the respondents to grant permission and necessary Police Protection to perform the cultural programme (ie) Adal Padal Dance Programme on 31.01.2018 at 6.00 p.m to 11.00 p.m in the Festival of Kumbabiseham Arulmighu Sri Kaliasman Thirukovil at Sukkuvaden patti, Theni District.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.



3.The learned counsel appearing for the petitioner has submitted that the petitioner and his Village members have decided to conduct a cultural programme (ie) Adal Padal Dance Programme on 31.01.2018 from 6.00 p.m to 11.00 p.m in the Festival of Kumbabiseham Arulmighu Sri Kaliyamman Thirukovil at Sukkuvaden patti, Theni District. Hence, the petitioner gave a representation to the second respondent, seeking permission and provide police protection, but the second respondent has rejected the said representation without assigning any reason.

4. The learned Government Advocate has submitted that after considering the petitioner's representation. the second respondent has rejected the said representation.

5.A perusal of the impugned order shows that the second respondent has simply passed the order stating that permission is denied and apart from that, he has not stated any other reason. The said order is against the principles of natural justice. The petitioner is entitled to know on what ground, his request was rejected. The second respondent being a public servant, whenever he is passing orders, the said orders, should contain reasons. Hence, the impugned order is liable to be set aside.

6.Accordingly, the writ petition is allowed and the impugned order, passed by the second respondent is set aside and the second respondent is directed to consider the petitioner's request and pass a speaking order. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Theni District, Theni.

2.The Inspector of Police,
Allinagaram Police Station,
Theni District, Theni.

+1CC to Mr.V.Manikandan, Advocate, SR.No. 45007

W.P. (MD) No.1762 of 2018
30.01.2018

gsp

AM/SKN RSK/SAR 2/30.01.2018/2P/4C

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