



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2018

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

W.P. (MD) No.2108 of 2018

Sorimuthu Servai

... Petitioner

-Vs-

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

2.The Inspector of Police,
Thiruchuzhi Police Station,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to permit petitioner to conduct Masi festival on 13.02.2018 and Drama programme on 14.02.2018 in the Arulmigu Sri Thiruppoovanalingam Periannaswamy Temple situated at Udaya Servaikaranpatti, Iluppayur Post, Thiruchuzhi Taluk, Virudhunagar District based on the petitioner's representation dated 22.01.2018.

For Petitioner : Mr.T.Selvan

For Respondents : Mr.N.Shanmuga Selvam
Additional Government Pleader

O R D E R

This writ petition has been filed to direct the respondents to permit petitioner to conduct Masi festival on 13.02.2018 and Drama programme on 14.02.2018 in the Arulmigu Sri Thiruppoovanalingam Periannaswamy Temple situated at Udaya Servaikaranpatti, Iluppayur Post, Thiruchuzhi Taluk, Virudhunagar District based on the petitioner's representation dated 22.01.2018.



2.Heard, Mr.T.Selvan, learned counsel appearing for the petitioner and Mr.N.Shanmuga Selvam, learned Additional Government Pleader appearing for the respondents.

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3.The learned counsel appearing for the petitioner submitted that the petitioner is one of the Villagers of the said Village. The villagers are conducting the Masi festival for the past several years and this year, they have decided to conduct the Masi festival on 13.02.2018 and Drama programme on 14.02.2018 and for that, they have already given a representation dated 22.01.2018 to the second respondent, but, sofar, no order has been passed. Hence, he has filed the present writ petition.

4.The learned Additional Government Pleader has submitted that in the year 2016, there was some riot against the case was registered under the Arms Act and hence if any permission is grated to the petitioner to conduct Masi festival and Drama programme the aforesaid temple that would create law and order problem.

5.Considering the aforesaid submissions, the second respondent is directed to consider the petitioner's representation and if necessary he can direct the petitioner to file undertaking affidavit and thereafter pass appropriate order and in accordance with law, at the time of passing order to keep in mind the decision of the Hon'ble Supreme Court of India in the case of Church of God (Full Gospel) in India Vs. K.K.R, Majestic Colony Welfare Association and Ors, reported in 2001 - 1 - L.W. (Cr1.) 233.

6.With the aforesaid observations, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (AD-II)



To

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

2.The Inspector of Police,
Thiruchuzhi Police Station,
Virudhunagar District.

+1cc to M/S.T.SELVAN, Advocate SR.No.45627.

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01.02.2018

gsp
SDS/SV:MMS/SAR 1/02.02.2018/3P/4C