



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2018

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THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

W.P.(MD) No.2127 of 2018
and
WMP.(MD)No.2371 of 2018

P.Nallmuthu

...Petitioner

-Vs-

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

2.The Sub-Inspector of Police,
Veerapandi Police Station,
Veerapandi, Theni District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the Impugned order dated 27.01.2018 passed by the second respondent and quash the same and consequently to direct the respondents to grant police permission to conduct the programme namely Aadal Padal in Arulmighu Angala Parameswari Amman and Arulmighu Muthukaruppana Swamy Thirukovil Festival at Kottur Village, Theni District to be held on 15.02.2018.

For Petitioner : Mrs.V.Vilma Raxy

For Respondents : Mr.Shanmugaselvam
Additional Government Pleader

ORDER

This writ petition has been filed to call for the records relating to the Impugned order dated 27.01.2018 passed by the second respondent and quash the same and consequently to direct the respondents to grant police permission to conduct the programme namely Aadal Padal in Arulmighu Angala Parameswari Amman and Arulmighu Muthukaruppana Swamy Thirukovil Festival at Kottur Village, Theni District to be held on 15.02.2018.



2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader 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 15.02.2018 in Arulmighu Angala Parameswari Amman and Arulmighu Muthukaruppana Swamy Thirukovil Festival at Kottur Village, 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 valid reason.

4. The learned Government Advocate has submitted that since there is a law and order problem, petitioner's request has been rejected by the second respondent.

5. The impugned order perused. In that order, the second respondent has simply stated that there is a law and order problem and hence petitioner's request is rejected. He has not stated that on the previous occasions any untoward incidents took place and any case has been registered. Under the said circumstances, the impugned order is set aside. The second respondent is directed to consider the petitioner's representation and pass appropriate order by giving valid reasons. At the time of passing order he has to keep in mind the judgement 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. Consequently, connected WMP.(MD)No.2371 of 2018, is closed.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To

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

2. The Sub-Inspector of Police,
Veerapandi Police Station,
Veerapandi, Theni District.

+One cc to Mr.K.Neelamegam, Advocate, SR.No.46513

+One cc to The Special Government Pleader, SR.No.46947

das/smi

RL/5C/2P/SV/SAR2/9/2/2018

W.P.(MD) No.2127 of 2018