



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2018

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

W.P.(MD) No.5958 of 2018

Kumar

... Petitioner

-Vs-

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

2.The Inspector of Police,
Taluk Police Station,
Thanjavur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents to give permission to the petitioner to organize music and dance functions from 21.03.2018 to 29.03.2018 from 07.00 pm., to 11.00 pm., at Angala Eshwari Muneeshwarar Temple with light and sound by considering the petitioner's representation, dated 16.03.2018.

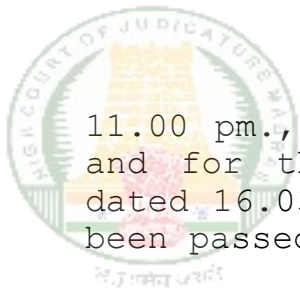
For Petitioner	: Mr.K.Jegan
For Respondent	: Mr.N.Shanmuga Selvam Additional Government Pleader

O R D E R

This writ petition has been filed to direct the respondents to grant permission and adequate police protection to organize 'music and dance' functions from 21.03.2018 to 29.03.2018 from 07.00 pm., to 11.00 pm., at 'Angala Eshwari Muneeshwarar Temple' with light and sound by considering the petitioner's representation, dated 16.03.2018.

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

3.The learned counsel appearing for the petitioner has submitted that the villagers are conducting the 'Angala Eshwari Muneeshwarar Temple' festival for 10 days every year and this year also, they have decided to organize 'music and dance' functions with light and sound from 21.03.2018 to 29.03.2018 from 07.00 pm., to



11.00 pm., in connection with the festival of the aforesaid temple and for that, the petitioner has already given a representation dated 16.03.2018 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 appearing for the respondents has submitted that the petitioner has asked permission for eight days i.e., 21.03.2018 to 29.03.2018 from 07.00 pm., to 11.00 pm. He further submitted that it is not possible for the respondent police to provide police protection for all the eight days. So the petitioner may be directed to restrict relief for any one of the day.

5.The learned counsel for the petitioner by way of reply has submitted that the second respondent may be directed to consider the petitioner's representation, and pass appropriate order.

6.Considering the aforesaid submissions, the second respondent is directed to consider the representation submitted by the petitioner, dated 16.03.2018 and pass appropriate order at early after giving opportunity to the petitioner to restrict permission for any of the days. At the time of passing order, the second respondent has 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. (Crl.) 233.

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

Sd/
Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Thanjavur District,
Thanjavur.
- 2.The Inspector of Police,
Taluk Police Station,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.K.JEGAN, Advocate, SR.No. 56734

W.P.(MD) No.5958 of 2018
21.03.2018

RMK

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