



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2018

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WEB COPY

THE HON'BLE MRS.JUSTICE S.RAMATHILAGAM

W.P.(MD) No.6875 of 2018
(Criminal)

R.Krishna Moorthi

... Petitioner

-Vs-

1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District, Madurai.

2.The Inspector of Police,
Palamedu, Alanganallur Circle,
Madurai District.

3.The Sub Inspector of Police,
Palamedu, Alanganallur Circle,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the rejection order passed by the third Respondent dated 25.03.2018 and to quash the same and consequently direct the respondents to give permission to perform the cultural programme of Adal Padal (Kalai Nigaltchi) on 31.03.2018 in connection with the ARULMIGU VADAKU VASSAL SRI CHELLAYEE AMMAN PONGAL FESTIVAL, Palamedu Village, Vadipatti Taluk, Madurai District.

For Petitioner : M/s.Apna Law Associates
for N.Ananthapadmanaban

For Respondents : Mr.V.Shanmuga Selvam,
Additional Government Pleader.

O R D E R

This writ petition has been filed by the petitioner to call for the records pertaining to the rejection order passed by the third Respondent dated 25.03.2018 and to quash the same and consequently direct the respondents to give permission to perform the cultural programme of Adal Padal (Kalai Nigaltchi) on 31.03.2018 in connection with the Arulmigu Vadaku Vassal Sri Chellayee Amman Pongal Festival, Palamedu Village, Vadipatti Taluk, Madurai District.



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

3. The learned counsel appearing for the petitioner has submitted that in their Village it was decided for conducting 'Adal Padal' in connection with the Arulmigu Vadaku Vassal Sri Chellayee Amman Pongal Festival, Palamedu Village, Vadipatti Taluk, Madurai District. He further submitted that the third respondent has rejected the petitioner's representation by the impugned order dated 25.03.2018 without assigning any valid reason and hence the said impugned order has to be quashed.

4. The learned Additional Government Pleader has submitted that since the law and order problem is there, the third respondent has rejected the petitioner's request and passed the impugned order.

5. The impugned order perused. In that order, the third respondent has stated that if the petitioner conducts 'Adal Padal' there is a possibility of law and order problem, but he has not cited any specific incidents. Therefore, it appears that the third respondent has passed the said order in routine manner, without applying his mind. Hence, the said impugned order is quashed and the third respondent is directed to consider the petitioner's request and pass orders citing the specific reasons and at the time of passing order, the third 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.

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

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,

Office of the Superintendent of Police, Madurai District, Madurai.

2. The Inspector of Police, Palamedu, Alanganallur Circle,
Madurai District.

3. The Sub Inspector of Police, Palamedu, Alanganallur Circle,
Madurai District.

+1CC to Mr.N.Ananthapadmanaban, Advocate, SR.No. 58744

+1CC to the Special Government Pleader SR.No.59068

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