



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2018

CORAM:

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P (MD) No.946 of 2018

S.Sarojini

.. Petitioner

Vs.

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

2.The Sub Inspector of Police,
Sampavarvadakarai Police Station,
Tirunelveli District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, praying to direct the respondents to grant permission to perform the sports program scheduled to be held on 14.01.2018 and 15.01.2018 in connection with "Pongal Festival" at Velayuthapuram Village, Tenkasi Taluk, Tirunelveli District, by considering the petitioner's representation.

For Petitioner

: Mr.V.Kathirvelu,
Senior Counsel for
Mr.T.Chandrasekaran

For Respondents

: Mr.M.Murugan,
Government Advocate

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

By consent, this writ petition itself is taken up for final disposal.

2. The petitioner is a Director of the Central Cooperative Bank and she claims that she is the native of Velayuthapuram Village. The petitioner would further state that the petitioner's village people decided to celebrate Pongal Festival in a grand manner, as usual and decided to conduct sports activities for the children and accordingly, she submitted an application /



representation, dated 02.01.2018, to the second respondent; however, anticipating the permission also, she printed the invitation and effected wide publicity. Since no response is forthcoming, the petitioner is constrained to approach this Court by filing this writ petition.

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3. Mr.V.Kathirvelu, learned Senior Counsel, assisted by Mr.T.Chandrasekaran, learned counsel for the petitioner, has invited the attention of this Court to the order passed by this Court in W.P.(MD).No.504 of 2017 (S.Sarojini Vs. The Superintendent of Police, Tirunelveli and others), dated 12.01.2017 and would submit that when similar request made by the petitioner was rejected, it was put to challenge in the said writ petition and it was partly allowed by quashing the order of rejection, with a further direction directing the very same second respondent to reconsider the request of the petitioner and accordingly, the permission was granted and similar function was also successfully completed and hence, he prays for appropriate orders.

4. Per contra, Mr.Murugan, learned Government Advocate, on instructions, would submit that as of now, no application has been received from the petitioner and applications were received only from one Mr.Chelladurai and Mahesh, for conducting the very same activities and it is being considered. He would further add that in the absence of any application, the request made by the petitioner cannot be granted.

5. However, in response to the above submission made by the learned Government Advocate, the learned Senior Counsel appearing for the petitioner would submit that normally the applications are submitted in person and it is not the habit of the respondents to give acknowledgment and he seeks liberty to submit a fresh application with a further prayer to direct the second respondent to consider and dispose of the same, at the earliest possible time, for the reason that arrangements have already been effected by spending a considerable sum of money.

6. This Court considered the rival submissions made on either side and also perused the materials available on record.

7. In the light of the above stand taken by the learned Government Advocate appearing for the respondents that no such application has been submitted by the petitioner, this Court grants liberty to the petitioner to submit an application for conducting sports activities forthwith to the second respondent and upon receipt of the same, the second respondent is directed to consider the same on merits and in accordance with law and pass appropriate orders, within a period of one week from the date of receipt of the said application and communicate the decision taken to the petitioner.



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8. This writ petition stands disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CSII)
/True Copy/

Sub-Assistant Registrar

To

- 1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 2.The Sub Inspector of Police,
Sampavarvadakarai Police Station,
Tirunelveli District.

+One cc to The Special Government Pleader, SR.No.42538
+One cc to Mr.T.Chandrasekaran, Advocate, SR.No.42148

gcg
RL/5C/3P/SKN/RSK/SAR1/24/1/2018

ORDER MADE IN
W.P(MD)No.946 of 2018

12.01.2018