



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.7562 of 2018 and
WMP (MD) .No.7207 of 2018

T. Rajadurai

... Petitioner

Vs.

1.The Superintendent of Police,
Nagercoil,
Kanyakumari District.

2.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus calling for the records of the second respondent pertaining to its order bearing No.Nil dated Nil and to quash the same with regard to time restrictions and consequently, direct the respondents to grant permission and conduct the temple festival and cultural programme from 25.04.2018 to 05.05.2018 as per the programme schedule at Arulmigu Sree Vetti Murichan Isakkiyamman Temple situated in Perumalpuram, Kottaram Post, Kanyakumari District.

For Petitioner	: Mr.. S.C. Herold Singh
For Respondents	: Mr.P.Kannithevan, Additional Government Pleader.

ORDER

This Writ Petition has been filed to call for the records of the second respondent pertaining to its order bearing No.Nil and to quash the same with regard to time restrictions and consequently, to direct the respondents to grant permission to conduct the temple festival and cultural programme from 25.04.2018 to 05.05.2018 as per the programme schedule at Arulmigu Sree Vetti Murichan Isakkiyamman Temple situated in Perumalpuram, Kottaram Post, Kanyakumari District.

2. According to the petitioner, permission has been granted by the Authority to conduct cultural programmes and other programmes. The petitioner is challenging the portion of the order passed by the second respondent viz., the schedule time granted up to 10.00 P.M.,. It is stated by the petitioner that, the Pooja will be performed at 12.00' clock and therefore, the time has to be extended



till 12.00' clock. Challenging the rejection of said time, the petitioner has filed the present Writ Petition seeking to extend the time till 12.00' clock.

3. The learned Additional Government Pleader appearing for the respondent submitted that in several number of cases the time is granted upto 10.30 p.m., Therefore, the impugned order of the respondent needs no modification or alteration granting further time in conducting the cultural programmes.

4. Taking into consideration of the above said submission of both parties and also considering the fact that this Court on an earlier occasion in similar writ petition, has considered time to conduct the programmes and events up to 10.30 p.m.,

5. In the light of the submission and also considering the facts and circumstances, the impugned order passed by the respondent police is modified by extending time up to 10.30 p.m., to conduct cultural programmes or events and beyond that the petitioner cannot conduct any events or cultural programmes.

6. This Writ Petition is allowed to the aforesaid extent only. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendant of Police,
Nagercoil,
Kanyakumari District.

2.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.

+1CC to Mr.S.C.Herold Singh, Advocate, SR.No. 61525
+1CC to the Special Government Pleader SR.No.61658

W.P. (MD) No.7562 of 2018 and
WMP (MD) .No.7207 of 2018
16.04.2018