



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.(MD)No.7644 of 2018

and

W.M.P.(MD)No.7267 of 2018

K.Muniyandi

: Petitioner

Vs.

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

2.The Inspector of Police,
Allinagaram Police Station,
Theni District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the second respondent in C.No.88/Mike/B2PS/2018 dated 29.03.2018 and quash the same, consequently directing the respondents to grant permission and necessary protection to perform the cultural programme (I.e.) Adal Padal on the eve of Arulmigu Sri Sadaiyandi, Sri Mandu Karuppasamy, Sri Kaleeswari, Sri Chellandiamman Temple at Allinagaram, Theni which is to be held on 11.04.2018 and 12.04.2018.

For Petitioner

: Mr.T.Senthil Kumar

For Respondent

: Mr.P.Kannithevan

Additional Government Pleader

O R D E R

The present Writ Petition is directed against the impugned order dated 29.03.2018 passed by the second respondent and quash the same, consequently directing the respondents to grant permission and necessary protection to perform the cultural programme (I.e.) Adal Padal on the eve of Arulmigu Sri Sadaiyandi, Sri Mandu Karuppasamy, Sri Kaleeswari, Sri Chellandiamman Temple at Allinagaram, Theni which is to be held on 11.04.2018 and 12.04.2018.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent.



3.The learned Additional Government Pleader appearing for the respondents submitted that at the time of passing the impugned order, there was a rival claim between the parties and subsequent to that, both the parties appeared before the respondent police and resolved their dispute and also entered into an agreement in writing and since there is an amicable settlement arrived at between the parties, there is no impediment for considering the petitioner's representation dated 29.03.2018.

4.In view of the change of circumstances, the impugned order passed by the second respondent dated 29.03.2018 is set aside and remanded back to the second respondent. The said official is directed to consider the petitioner's representation dated 29.03.2018 afresh and pass orders on merits and in accordance with law. The petitioner shall produce a copy of the representation dated 29.03.2018 before the respondents along with a copy of this order.

5.The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Allinagaram Police Station,
Theni District.

+1CC to Mr.T.Senthil Kumar, Advocate, SR.No. 5769

W.P.(MD)No.7644 of 2018

MR

AM/SV MMS/SAR 1/10.04.2018/2P/4C