



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.(MD)No.8643 of 2018

and W.M.P.(MD) No.8108 of 2018

S.Arumuga Thevar

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District.

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

... Respondents

Prayer: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 relating to the order passed by the second respondent dated 11.04.2018 and quash the same and consequently direct the second respondent to permit the petitioner to conduct Light Music Program on 26.04.2018 in the temple festival in 'Sri Vanumamalai Perumal Koil', Nanguneri from 7 p.m to 11 p.m.

For Petitioner	: Mr.Manivel Pandian for T.A.Ebenezer
For Respondents	: Mr.M.Karuppasamy Government Advocate

O R D E R

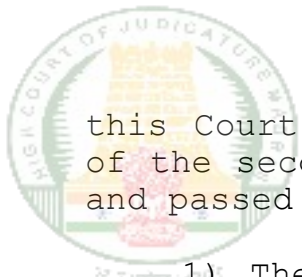
This writ petition has been filed seeking to quash the order of the second respondent dated 11.04.2018 and consequential direction to the second respondent to permit the petitioner to conduct Light Music Program on 26.04.2018 in the temple festival in 'Sri Vanumamalai Perumal Koil', Nanguneri from 7 p.m to 11 p.m.

2.Heard the learned senior counsel appearing for the petitioner, the learned Government Advocate(Crl.side) appearing for the respondents.

3.According to the learned counsel appearing for the petitioner the second respondent has passed the impugned order without giving any reason and therefore, he prays for setting aside the same. The learned counsel for the petitioner undertakes to file an affidavit before the second respondent by stating that he will abide the reasonable conditions imposed by the respondent police.

4. The learned Government Advocate (Crl.side) submitted that in spite of communication sent to the second respondent, he has not received instruction from the second respondent.

5. Since the programme is scheduled to be held on 26.04.2018,



this Court has no hesitation to set aside the impugned proceedings of the second respondent dated 11.04.2018 and the same is set aside and passed the following directions:

- 1) The writ petitioner is directed to file an undertaking affidavit.
- 2) On receipt of such undertaking affidavit, the second respondent is directed to consider the same afresh and pass a reasoned order. The order shall be communicated to the petitioner on or before 25.04.2018.

6. In the result, the writ petition is allowed with above terms. No costs. Consequently, connected W.M.P.(MD) No.8108 of 2018 is closed.

Sd/
Assistant Registrar(W)

/True copy/

Sub Assistant Registrar

To

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

Copy to:

Mr.S.Arumuga Thevar,
S/o.Sudalaikannu, Anna salai,
Nedunkulam, Nanguneri, Tirunelveli District.

+1cc to Mr.T.A.EBENEZER, Advocate, SR.No.62896
+1cc to M/s.Special Government Pleader,SR.No. 63029

W.P. (MD) No.8643 of 2018
and W.M.P. (MD) No.8108 of 2018
23.04.2018

CM

KK/SV/24.04.2018/SAR-1/2P-7C