



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.8727 of 2018

Humanity Protection Organization,
Rep. by its President,
Mr.N.Ashokan

: Petitioner

Vs.

1. The Commissioner of Police,
Madurai Corporation, Madurai.
2. The Commissioner of Police,
Madurai City, Madurai.
3. The Assistant Commissioner of Police,
Anna Nagar (Law and Order),
Madurai City, Madurai.
4. The Inspector of Police,
Mathichiyam Police Station,
Madurai District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents to grant permission to the petitioner to provide butter milk to the public from 29.04.2018 and 30.04.2018 during "Kallalagar Aatrill Erangum Vizha" by putting up a Pandhal measuring to the extent of 10 x10 on the right side of Super Medical Shop (front side) Goripalayam, Madurai.

For Petitioner	: Mr.K.Samidurai
For Respondent No.1	: Mr.T.S.Mohammed Mohideen Additional Government Pleader
For Respondent Nos.2 to 4	: Mr.P.Kannidevan Additional Government Pleader

O R D E R

The petitioner has come forward with the present Writ Petition seeking a Writ of Mandamus directing the respondents to grant permission to the petitioner to provide butter milk to the public from 29.04.2018 and 30.04.2018 during "Kallalagar Aatrill



Erangum Vizha" by putting up a Pandhal measuring to the extent of 10 x10 on the right side of Super Medical Shop (front side) Goripalayam, Madurai.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleaders appearing for the respondents.

3. According to the petitioner, he made a representation dated 09.04.2018 to the respondents to grant permission for providing butter milk to the public from 29.04.2018 at 10.00 a.m. to 30.04.2018 at 12.00 p.m., during the time of "Kallalagar Aatril Erangum Vizha" by putting up a Pandhal measuring to the extent of 10 x10 on the right side of Super Medical Shop (front side) Goripalayam, Madurai. As no order has been passed in the said representation, the petitioner has filed this writ petition with the aforesaid prayer.

4. The learned Additional Government Pleader appearing for the respondents submitted that the petitioner's representation is still pending with the respondents. The learned Additional Government Pleader appearing for the third respondent would submit that for granting permission to the petitioner, the first respondent / Corporation has to obtain a report before passing orders on the said representation, from the third respondent.

5. In view of the submission made by the parties, without expressing any opinion on merits, this Court directs the first respondent to consider the petitioner's representation, dated 09.04.2018 and pass orders, on merits and in accordance with law, after obtaining a report from the third respondent and by providing an opportunity to the petitioner, within a week from today. The petitioner shall enclose a copy of a representation dated 09.04.2018 along with a copy of this order to the first respondent.

6. This writ petition is disposed of, with the above direction. No costs.

Sd/-

Assistant Registrar(AD-II)

/True copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Madurai Corporation, Madurai.



2. The Commissioner of Police,
Madurai City, Madurai.

3. The Assistant Commissioner of Police,
Anna Nagar (Law and Order),
Madurai City, Madurai.

4. The Inspector of Police,
Mathichiyam Police Station,
Madurai District.

+1. CC to M/S.K.Samidurai, Advocate SR.No.62427

W.P. (MD) No. 8727 of 2018
20.04.2018

PJL

MKV-CM-VR-SAR 2/20.4.2018/3P-6C