



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.(MD)No.9698 of 2018

Sankar

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Alangulam,
Tirunelveli District.

3.The Sub Inspector of Police,
Seethaparpanallur Police Station,
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 to call for the records pertaining to the order passed by the 2nd respondent in his proceedings No.Na.Ka.No.532/Camp/SDOH/TIN/2018 dated 16.04.2018 and quash the same and consequently direct the respondents to grant permission to perform cultural programme of Adal Padal to be conducted on 23.05.2018 at about 09.00 a.m. to 11.00 p.m. and also permitted other poojas ceremonies as followed in the customary practices of the temple in connection with the 'Kodai Vizha' of 'Arulmigu Sree Muppudathiammana Kovil' at Maranthai, Alangulam Taluk, Tirunelveli District.

For Petitioner : Mr.S.Krishnan

For Respondents : Mr.P.Kannidevan
Additional Government Pleader

O R D E R

This writ petition has been filed seeking a Writ of Certiorarified Mandamus to call for the records pertaining to the order passed by the 2nd respondent in his proceedings No.Na.Ka.No.532/Camp/SDOH/TIN/2018 dated 16.04.2018 and quash the same and consequently direct the respondents to grant permission to perform cultural programme of Adal Padal to be conducted on 23.05.2018 at about 09.00 a.m. to 11.00 p.m. and also permitted other poojas ceremonies as followed in the customary practices of the temple in connection with the 'Kodai Vizha' of 'Arulmigu Sree Muppudathiammana Kovil' at Maranthai, Alangulam Taluk, Tirunelveli District.



2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents. By consent of parties, writ petition itself is taken for final disposal.

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3. According to the petitioner, for previous years, permission has been granted by the respondents to conduct the said Adalpadal cultural programme during the 'Kodai Vizha' of 'Arulmigu Sree Muppudathiammana Kovil' at Maranthai, Alangulam Taluk, Tirunelveli District. Hence, this year also the petitioner made a representation dated 16.04.2018 to the respondents to grant permission and protection for conducting the Adalpadal cultural programme on 23.05.2018 between 09.00 a.m. and 11.00 p.m. But, the 2nd respondent, has passed an order restricting the time from 09.00 a.m. to 10.00 p.m., and other conditions, in the light of the order passed by this Court in *W.P.(MD)No.7911 of 2018*, dated 12.04.2018. According to the petitioner, the said order passed by the respondent is illegal. Therefore the impugned order passed by the 2nd respondent is liable to be quashed. Hence, the petitioner has filed this writ petition with the aforesaid prayer.

4. The learned Additional Government Pleader appearing for the respondents submitted that in the earlier orders passed by this Court, the time has been fixed upto 10.00 p.m. alone. Therefore, following the same, the 2nd respondent police has also passed the order in the light of the earlier orders of this Court.

5. Considering the submission made by both parties and perusal of the impugned order passed by the second respondent, it is clear that the 2nd respondent has properly considered the representation of the petitioner dated 16.04.2018 and passed the order as rightly pointed out by the learned Additional Government Pleader. Moreover, the time till 11.00 p.m. as requested by the petitioner would not be granted. Hence, this writ petition is liable to be dismissed.

6. Accordingly, the writ petition is dismissed. No costs.

Sd/

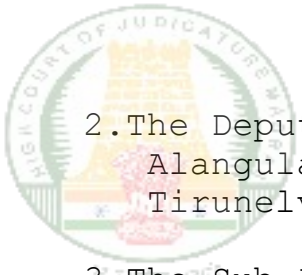
Assistant Registrar(W)

/True copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Tirunelveli District,



2.The Deputy Superintendent of Police,
Alangulam,
Tirunelveli District.

3.The Sub Inspector of Police,
Seethaparpanallur Police Station,
Tirunelveli District.

+1cc to Mr.S.KRISHNAN, Advocate, SR.No. 63695

+1cc to M/s.Special Government Pleader,SR.No. 64111

W.P. (MD) No.9698 of 2018
26.04.2018

PJL

KK/SV MMS/11.05.2018/SAR-4/3P-6C