



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.14566 of 2018

and

W.M.P. (MD) No.13133 of 2018

Arumugam

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District.

2.The Sub-Inspector of Police,
Nanguneri 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 impugned order passed by the second respondent, dated 30.06.2018 and quash the same as illegal, consequently, direct the respondents to permit the petitioner to perform music concert on 28.07.2018 from 09.00 p.m to 12.00 a.m, during the temple festival of Arulmighu Sri Ayyan Sengamala Udaiyar Temple, Marukalkurichi Village, Nanguneri Taluk, Tirunelveli District.

For Petitioner : Mr.D.Venkatesh

For Respondents : Mr.M.Karuppasamy
Government Advocate

ORDER

This Writ petition has been filed to call for the records pertaining to the impugned order passed by the second respondent, dated 30.06.2018 and quash the same as illegal, consequently, direct the respondents to permit the petitioner to perform music concert on 28.07.2018 from 09.00 p.m to 12.00 a.m, during the temple festival of Arulmighu Sri Ayyan Sengamala Udaiyar Temple, Marukalkurichi Village, Nanguneri Taluk, Tirunelveli District.

2.According to the learned counsel for the petitioner, the second respondent passed the impugned order without providing an opportunity to the petitioner and also the same is a non-speaking order. Hence, the same is liable to be quashed.



3. The learned Government Advocate (Crl.side) would submit that valid reason has been stated in the order, therefore, the writ petition is liable to be dismissed.

4. On a perusal of the impugned order passed by the second respondent, it is found that the petitioner's application has been rejected without any reasons and the same is a non-speaking order. Therefore, this Court is inclined to quash the impugned order and to remit the matter to the second respondent, to consider the petitioner's representation dated 30.06.2018 afresh.

5. In fine, the impugned order passed by the second respondent is quashed and the matter is remitted to the second respondent to consider the petitioner's representation dated 30.06.2018 and pass appropriate orders, after affording opportunity to the parties concerned as expeditiously as possible on or before 20.07.2018.

6. With the above direction, this writ petition is allowed. No costs. Consequently, connected W.M.P.(MD) No.13133 of 2018 is closed.

Sd/-
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Tirunelveli District.

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

+1cc to Mr.D.Venkatesh, Advocate, SR.No.71645.

+1cc to Special Government Pleader, SR.No.71978.

W.P.(MD)No.14566 of 2018
and
W.M.P.(MD)No.13133 of 2018
06.07.2018

CM

RAM/SV/SAR 2/19.07.2018/2P/5C