



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2018

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. (MD) No. 15744 of 2018

S. Kathirvel

... Petitioner

Vs.

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

2. The Inspector of Police,
Nerkuppai Police Station,
Sivagangai District.

... Respondents

Prayer: Petition filed under Article 226 of Constitution of India to issue a writ of Mandamus, directing the Respondents to grant permission and necessary Police Protection to perform the cultural programme (ie.,) Adal Padal Dance Programme on 22.07.2018 at 7.00 pm to 11.00 pm in the festival of Arulmighu Sri Patchimoonkiludaiya Ayyanar Thirukovil at A.Thekkoor Village, Thirupathur Taluk, Sivagangai District.

For Petitioner : Mr.V.Manikandan

For Respondents : Mr.P.Kannidevan,

Additional Government Pleader

ORDER

This writ petition has been filed seeking a Writ of Mandamus, directing the respondents to grant permission and necessary police protection to perform the cultural programme (ie.,) Adal Padal Dance Programme on 22.07.2018 at 7.00 pm to 11.00 pm in respect of the festival of Arulmighu Sri Patchimoonkiludaiya Ayyanar Thirukovil at A.Thekkoor Village, Thirupathur Taluk, Sivagangai District.

2. Heard the learned Counsel appearing on either side and perused the documents placed on record.

3. The learned Counsel for the petitioner would submit that though the petitioner, in his capacity as organiser, has submitted a representation seeking permission and police protection, as early as on 12.07.2018, before the second respondent, the same is still pending, without any action and hence, the petitioner is before this Court for the aforesaid prayer.



4. He would further submit that the petitioner would be satisfied, if the said representation is disposed of by the second respondent on merits and in accordance with law.

5. The learned Additional Government Pleader, on instructions, showed serious objections and would submit that nine previous cases have been filed in this regard. However, he would submit that the representation of the petitioner, dated 12.07.2018, shall be disposed of by the authorities, within a stipulated time limit.

6. Considering the facts and circumstances of the case as well as the submissions made by the learned Counsel on either side, this writ petition is disposed of, with a direction to the second respondent to consider the representation of the petitioner dated 12.07.2018 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner and other interested parties, if any, on or before 21.07.2018. Needless to say that if the second respondent is about to reject the representation of the petitioner, then reasons for such rejection as well as the answers put forth by the petitioner for such reasons, if any, have to be recorded in the order to be passed by the second respondent. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (Cs-III)

/True Copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Nerkuppai Police Station,
Sivagangai District.

+1CC to Mr.V.Manikandan, Advocate in SR.No.73916.

GK

DS/SV/SAR-2 :19.07.2018: 2P/4C