



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.08.2018

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.16955 of 2018

K.Nataraj

... Petitioner

Vs.

1. The Superintendent of Police,
Office of Superintendent of Police,
Dindigul District.
2. The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Oddanchatram,
Dindigul District.
3. The Inspector of Police,
Ambalikai Police Station,
Dindigul District.
- 4.K.Jeyaram
- 5.A.Chellamuthu
- 6.S.Jeyamurugan

... Respondents

[Respondents 4 to 6 are impleaded vide order dated 06.08.2018 made in W.M.P. (MD) No.15460 of 2018 in W.P. (MD) No.16955 of 2018]

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the respondents herein to consider the petitioner's representations to the respondent No.3 in person on 21/07/2018 and through registered post to all the respondents 1 and 3 on 26/07/2018 and thereby to grant permission to conduct the "Annadhanam Programme" to be held on 10/08/2018 at about 10.00 am to 8.00 pm during the temple festival of "Arulmighu Vinayagar, Kaliyamman, Kuppaiyansamy, Veerakumarasamy Tirukovil" situated in the petitioner's locality.

For Petitioner : Mr.R.Senthil Kumar

For Respondents : Mr.M.Rajarajan,
Government Advocate
for R.1 to R.3

Mr.S.Karthik for R.4 to R.6

**ORDER**

This writ petition has been filed seeking for a direction to the respondents to permit the petitioner to conduct Annadhanam festival to be held on 10.08.2018.

2. The case of the petitioner is that he was permitted to conduct the Annadhanam on behalf of the people belonging to Thangachiyammampatti Village for the last five years. Therefore, even for this year, he must be permitted to give Annadhanam in the same manner.

3. The learned Government Advocate submits that the villagers themselves are going to participate in the Annadhanam festival this time and therefore, there is no requirement for the petitioner to give Annadhanam on behalf of the people belonging to the village.

4. The learned Counsel representing the villagers also submits that the villagers themselves are going to give Annadhanam this year and if the petitioner also wants to participate in the same, he can always do so in his individual capacity and he cannot represent the villagers, without the villagers' consent for the same.

5. I have carefully considered the submissions made by the Counsel for all the parties.

6. In the representation, dated 21.07.2018, that was given by the petitioner to the third respondent, the petitioner has sought for permission to conduct Annadhanam festival on 10.08.2018, on behalf of the people belonging to the village. In order to get such a permission, the village people will have to give their consent to the petitioner to represent them for the Annadhanam festival. Without such a consent being given, the petitioner cannot *suo motu* make himself a representative of the village people, just because he was permitted to do so in the previous five years. Permitting the petitioner to conduct the festival will also result in unwarranted law and order problem in the village and the same will defeat the very spirit behind giving Annadhanam.

7. Taking into consideration the facts and circumstances of the case, it is open to the petitioner to participate along with the village people in conducting the Annadhanam festival. If the real intention of the petitioner is to give Annadhanam, it does not matter whether he is giving it in his individual capacity or he is representing the village. It is made clear that the petitioner shall participate in the Annadhanam festival only in his individual capacity and he shall not be representative of the



8. Consequently, the writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (T&P)

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/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Superintendent of Police,
Office of Superintendent of Police,
Dindigul District.
2. The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Oddanchatram,
Dindigul District.
3. The Inspector of Police,
Ambalikai Police Station,
Dindigul District.

+1cc to Mr.R.Senthil Kumar, Advocate SR.No.77564

+1cc to Mr.S.Karthik, Advocate SR.No.77588

+1cc to SPECIAL GOVERNMENT PLEADER, SR.No.77638

Gk

MK/SKN/SAR 1/09.08.2018/3P/7C

W.P. (MD) No.16955 of 2018

06.08.2018