



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 20.08.2018
CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
W.P. (MD) No.18105 of 2018

N.Karikalan

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram, Ramanathapuram District.

2.The Inspector of Police,
Thirupalaikudi Police Station,
Ramanathapuram District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, to call for the records relating to impugned order in Na.Ka.No.06/சா.சு/சா.ந/2018 dated 12.08.2018 of the second respondent herein to grant permission to conduct the "Eruthu Kattuthal" festival event on 29.08.2018 during Sri Poomari Mulaikottu and Sri Ayyanar Kuthirai Eduppu Thirukovil festival in Agaram Village, P.Kodikulam Post, Paramakudi Taluk, Ramanathapuram District.

For Petitioner : Mr.T.Pon Ramkumar
For Respondents : Mr.B.Bhagawathi
Government Advocate

ORDER

This writ petition has been filed challenging the order passed by the second respondent dated 12.08.2018 rejecting the permission sought for to conduct "Eruthu Kattuthal" Festival on 29.08.2018.

2.The learned counsel for the petitioner would submit that even last year when the permission was sought for, the same was rejected on the very same ground cited in the present impugned order. Hence, the petitioner had approached this Court by filing writ petition in W.P.[MD].No.15919 of 2017. This Court by an order dated 24.08.2017, directed the respondent to grant permission to the petitioner to conduct the event with reasonable restrictions on conditions, in order to maintain law and order and communal harmony.

3.The second respondent has passed the impugned order without assigning any reasons and merely stating that by permitting the event to be conducted, there will be a law and order problem. Mere apprehension of a law and order problem cannot be a ground to reject the petition filed by the petitioner seeking permission to conduct the event, more particularly due to fact that the same event was conducted last year pursuant to the orders passed by this Court and



there was no complaint of any law and order problem during the event.

4.This Court does not find any reasons in the impugned order passed by the second respondent. The second respondent ought to have considered the application made by the petitioner in the light of the order passed by this Court in W.P.[MD].No.15919 of 2017 and should not have driven the petitioner to file one more writ petition for this year also.

5.The learned Government Advocate appearing for the respondents would submit that no untoward incident happened during previous year and the petitioner can be permitted to conduct the event.

6.In the facts and circumstances of case, the second respondent is directed to grant permission to the petitioner to conduct "Eruthu Kattuthal" festival event on 29.08.2018 at Sri Poomari Mulaikottu and Sri Ayyanar Kuthirai Eduppu Thirukovil festival in Agaram Village, P.Kodikulam Post, Paramakudi Taluk, Ramanathapuram District. The second respondent can impose any reasonable restrictions/conditions so as to maintain law and order and also the communal harmony.

7. With the above directions, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1.The District Collector,
Ramanathapuram, Ramanathapuram District.

2.The Inspector of Police,
Thirupalaikudi Police Station,
Ramanathapuram District.

+1CC to Mr.T.Ponramkumar,advocate in SR.No.79219
+1CC to Special Government Pleader in SR.No.79713.

Sji

DS SKN RSK SAR 2 :23.08.2018:2P/5C

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20.08.2018