



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESHW.P. (MD) No.18804 of 2018

K.Muthusamy

... Petitioner

Vs.

1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The Revenu Divisional Officer,
Aranthangi,
Pudukkottai,
Pudukkottai District.

3.The Inspector of Police,
Memisal Police Station,
Pudukkottai District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents herein to grant permission and protection to conduct the Eruthukattuthal festival on 01/09/2018 in pursuant to the Aadi Festival of Arulmigh Thiruvettazhai Ayyanar and Periyakaruppar Vagaiyara Temple situated at Peyadikottai Village, Avudaiyarkoil Taluk, Pudukkottai District, considering the petitioner's representation dated 18/08/2018.

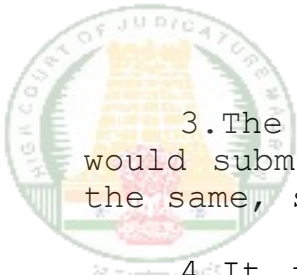
For Petitioner : Mr.G.Madhavan for
Mr.M.Suresh

For Respondents : Mr.B.Bhagawathi
Government Advocate

ORDER

This writ petition has been filed to issue a direction to the respondents herein to grant permission and protection to conduct the Eruthukattuthal festival on 01/09/2018 in pursuant to the Aadi Festival of Arulmighu Thiruvettazhai Ayyanar and Periyakaruppar Vagaiyara Temple situated at Peyadikottai Village, Avudaiyarkoil Taluk, Pudukkottai District, by considering the petitioner's representation dated 18.08.2018.

2.The learned counsel appearing for the petitioner submitted that this festival is being conducted for 150 years in the Temple, namely Arulmighu Thiruvettazhai Ayyanar and Periyakaruppar Vagaiyara Temple in the above said Village. This festival, in fact is jointly conducted by the villagers belonging to the said village.



3.The learned Government Advocate appearing for the respondents would submit that the 3rd respondent is not in a position to permit the same, since it may cause law and order problem.

4.It is seen from the records that Eruthukattu Vizha has been conducted in the above said village for more than 150 years, jointly by the village people. Hence, this Court is of the view that mere apprehension of the law and order problem itself is not a ground to reject the permission without there being any material to substantiate the same. In this case, it is seen that there is no rival party to interfere and therefore, there is no ground to reject granting such a permission.

5.It is open to the third respondent to incorporate list of conditions as to how the Eruthukattu Vizha should be conducted without any cruelty to the animals. If the conditions are violated, it is open to the third respondent to take proper action, at any stage of the said function. The third respondent is directed to grant permission and provide protection to the petitioner for conducting Eruthukattu Vizha on 01.09.2018 by imposing necessary conditions and also ensure that the entire function would be conducted in a peaceful manner without giving rise to any law and order problem.

6.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The Revenue Divisional Officer,
Aranthangi,
Pudukkottai,
Pudukkottai District.

3.The Inspector of Police,
Memisal Police Station,
Pudukkottai District.

+1CC to Mr.M.Suresh Advocate in Sr.No.81175.

VS

DS SKN SAR-2 ;30.08.2018; 2P/5C

<https://hcservices.ecourts.gov.in/hcservices/>

W.P. (MD) No.18804 of 2018
29.08.2018