



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 30.08.2018

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD).No.19009 of 2018

Kurunthalingam

.. Petitioner

-Vs-

1.The Tahsildar,
Kadaladi Taluk, Ramanathapuram District.

2.The Inspector of Police,
Sayalkudi Police Station,
Kadaladi Taluk,
Ramanathapuram District.

3.Malaimegu

4.Kannan

5.Malaisamy

6.Neelamegam

7.Periyasamy

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents 1 and 2 herein to permit the petitioner's Trust to conduct the Uriyadi Festival (pot breaking) of the Shri.Kannan-Shri Thamburatti Amman Temples on "Krishna Jeyanthi" festival scheduled to be held on 02.09.2018 to 03.09.2018 and give adequate police protection on considering the petitioner's representation dated 15.08.2018.

For Petitioner	: Mr.J.Selvin Rajesh
For Respondents	: Mr.B.Bhagavathi,
1 and 2	Government Advocate
For Respondent No.4	: Mr.R.Venkateswaran

ORDER

This Writ petition has been filed for a direction to the respondent police to permit the petitioner Trust to conduct the festival of Krishna Jeyanthi on 2nd and 3rd September 2018.

2.The learned counsel for the petitioner would submit that the petitioner Trust consists of persons belonging to Yadavar community. For those who, belong to this community, Krishna Jeyanthi is an important festival and it is being conducted every year. In the said festival, there is a particular practice called as "Uriyadi festival", which involves breaking of the pot. Among the community members, the selection is made wherein one person is selected by auction and is dressed like Lord Krishna and the said person can break the pot directly without any competition.



3.The learned counsel for the petitioner would submit that the fourth respondent has been creating problem with regard to this Uriyadi festival on the ground that he should be dressed like Lord Krishnan and he will break the pot. This seems to be the only dispute which has brought some disturbance for conducting this festival.

4.The learned Government Advocate would submit that a complaint was given by the fourth respondent and a peace committee meeting was also held before the Tahsildar, Kadaladi Taluk. The learned Government Advocate would submit that without any discrimination, if every one is allowed to participate in the festival, there will be no occasion for any disturbance or law and order problem.

5.The learned counsel for the petitioner would submit that the petitioner Trust has no objection in any one participating in the festival and there is absolutely no restriction with regard to the persons who can participate in the festival.

6.Considering the submissions made on either side, there shall be a direction to the second respondent to permit and give adequate police protection for the Krishna Jeyanthi festival to be conducted by the petitioner Trust on 02.09.2018 and 03.09.2018. It is left open to the second respondent to impose any reasonable conditions, that are required to carry on with the festival in a peaceful manner without giving rise to any law and order problem. The petitioner Trust is duty bound to comply with the conditions imposed by the second respondent and ensure that the entire festival is carried on and completed in a peaceful manner.

7.This Writ Petition is disposed of with the above directions.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

- 1.The Tahsildar,
Kadaladi Taluk, Ramanathapuram District.
- 2.The Inspector of Police,
Sayalkudi Police Station,
Kadaladi Taluk,
Ramanathapuram District.

+1cc to M/S.J.Selvin Rajesh, Advocate SR.No. 81222

+1cc to M/S.R.Venkateswaran, Advocate SR.No. 81517

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