



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.09.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
W.P. (MD) No.19793 of 2018
and
W.M.P. (MD) No.17587 of 2018

Chellappa

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Puliyankudi, Tirunelveli District.

2.The Inspector of Police,
Puliyankudi Police Station.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order in Na.Ka.No.327/Camp/SDOP/18 dated 10.09.2018 passed by the 1st respondent, quash the same and consequently direct the respondents to permit the petitioner to install the temporary Vinayakar Idol on 13.09.2018 below Arasamaram, Easwari Amman Temple, Ayyapuram and to conduct the Procession of Vinayakar Chadurathi Celebration to be held on 15.09.2018 from Easwari Amman Temple, Ayyapuram to Karuppanathi Dam and provide police protection based on the petitioner's representation dated 08.09.2018.

For Petitioner	: Mr.R.M.Arun Swaminathan
For Respondents	: Mr.B.Bhagawathi Government Advocate

ORDER

This petition has been filed for a direction to the respondents to grant permission for conducting Vinayagar Chathurthi and put up Vinayagar Statue and adequate police protection on 13.09.2018 to 15.09.2018 in Easwari Amman Temple, Ayyapuram, Puliyankudi, Tirunelveli District.

2.The learned counsel appearing for the petitioner would submit that the festival is being conducted during the month of 'Avani' every year and this year, it has been decided to conduct the said festival from 13.09.2018 to 15.09.2018 at Easwari Amman Temple, Ayyapuram, Puliyankudi, Tirunelveli District. The petitioner had given a representation dated 10.09.2018 to the respondents seeking for permission and for police protection, but the respondent police denied permission. Challenging the said denial the present writ



petition has been filed.

3.The learned Government Advocate would submit there is likelihood of law and order problem. Hence, the respondent police have denied permission to conduct the festival.

4.Taking into consideration of the facts and circumstances of the case, this Court is inclined to direct the second respondent to grant permission and adequate police protection to celebrate the festival of the Vinayagar Idol procession in Easwari Amman Temple, Ayyapuram, Puliyanakudi, Tirunelveli District.

5.It is made clear that the respondent police is at liberty to impose any conditions to ensure the peaceful conduct of the festival and the petitioner is bound to comply with the same. It is also open to the respondent police to impose further conditions with regard to use speakers and also for peacefully taking the procession of the Idol and immersing the same in the tank.

6.Accordingly, the writ petition is disposed of with the above directions. The impugned order in Na.Ka.No.327/Camp/SDOP/18 dated 10.09.2018 passed by the 1st respondent is hereby set aside. No costs. Consequently, connected miscellaneous petition is closed.

Sd/

Assistant Registrar(Crl Side)

/True copy/

Sub Assistant Registrar

To

1.The Deputy Superintendent of Police,
Puliyanakudi, Tirunelveli District.

2.The Inspector of Polie,
Puliyanakudi Police Station.

+1cc to Mr.R.M.ARUN SWAMINATHAN, Advocate, SR.No.83962

W.P. (MD) No.19793 of 2018
12.09.2018

TM/TSG

KK/SV/SAR-1/12.09.2018/2P-4C