



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 07.09.2018

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.19498 of 2018

and

W.M.P.(MD)Nos.17311 and 17312 of 2018

WEB COPY

N.S.Ramaraj

...Petitioner

Vs.

1.The District Collector,
Collector's Office, District Collectorate Complex,
Virudhunagar District, Virudhunagar.

2.The District Superintendent of Police,
District Collectorate Complex,
Virudhunagar.

3.The Revenue Divisional Officer,
Revenue Divisional Office,
Venkatachalapuram Office,
Sattur, Virudhunagar District.

4.The Deputy Superintendent of Police,
Deputy Superintendent of Police Office,
Chokkar Kovil Street,
Tenkasi Road, Rajapalayam.

5.The Tahsildar Cum Executive Magistrate,
Rajapalayam Taluk, Rajapalayam,
Virudhunagar District.

6.The Inspector of Police,
Rajapalayam North Police Station,
Rajapalayam.

7.The Station Officer,
Fire & Rescue Services Department,
Rajapalayam, Virudhunagar District.

8.The Executive Engineer, Distribution,
TANGEDCO, Rajapalayam,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to accord necessary permission, protection and no objection to the 31st annual Vinayagar Chaturthi Festival scheduled to be conducted by the petitioner at Rajapalayam Dharmapuram Shree Mappillai Vinayagar temple from 09.09.2018 to 13.09.2018.



For Petitioner : Mr.N.Dilipkumar
For Respondents : Mr.S.Angappan,
Government Advocate (Crl.Side)

ORDER

This Writ Petition has been filed for a direction to the 6th respondent to grant permission and police protection to conduct the 31st annual Vinayagar Chathurthi Festival scheduled to be conducted by the petitioner at Rajapalayam Dharmapuram Shree Mappillai Vinayagar temple from 09.09.2018 to 13.09.2018.

2.The learned counsel appearing for the petitioner would submit that the Vinayagar idol was seized by the 6th respondent and it has now been kept in the office of the Tahsildar at Rajapalayam. The learned counsel would further submit that this festival has been conducted for the last 30 years by the petitioner and others.

3.The learned Government Advocate (Crl.Side) appearing for the respondents would submit that the petitioner without any authorisation had placed the Vinayagar idol in public place. Therefore, the 6th respondent had no other option except to seize the idol and keep it in the office of the Tahsildar at Rajapalayam. He would further submit that if the petitioner is permitted to keep the idol in public place without permission, it will lead to unnecessary law and order problem.

4.In the facts and circumstances of the case, this Court is of the considered view that the petitioner can be permitted to conduct the festival along with others in the Rajapalayam Dharmapuram Shree Mappillai Vinayagar temple premises. The 6th respondent shall take immediate steps to handover the Vinayagar idol to the petitioner and also ensure that the petitioner takes the idol to the said temple. The 6th respondent shall also ensure that the entire festival is conducted inside the temple premises and concluded on the said date. When the Vinayagar idol is taken for immersion, the same shall be taken only in the route that is suggested by the 6th respondent.

5.It is also left to the 6th respondent to impose such conditions as are necessary in order to ensure that the festival is conducted in a peaceful manner without giving raise to law and order problem. The petitioner is bound to comply with the conditions imposed by the 6th respondent.

6.This Writ Petition is disposed of, with the above direction. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (AS)

/True Copy/



To

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- 8.The Executive Engineer, Distribution,
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Virudhunagar District.

+1cc to Mr.N.Dilipkumar Advocate in sr.no.83122.

MYR

DS RP SAR-2; 07.09.2018; 3P/10C

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