



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P (MD) No.19642 of 2018

S.Muniyasamy

... Petitioner

-Vs-

1. The District Collector,
O/o.The District Collector,
Ramanathapuram District,
Ramanathapuram.
2. The Superintendent of Police,
O/o.The Superintendent of Police,
Ramanathapuram District.
3. The Tahsildar,
O/o.The Tahsildar,
Keelakarai Taluk,
Ramanathapuram District.
4. The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Keelakarai Sub-Division,
Ramanathapuram District.
5. The Inspector of Police,
Earvadi Dharha Police Station,
Ramanathapuram District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the respondents to grant permission and protection to conduct Erudhukattu on 15.09.2018 and Valli Thirumanam Drama on 16.09.2018 as part of Arulmigu Sree Oorkavalar Temple Festival at Velanoor Village, Keelakarai Taluk, Ramanathapuram District.

For Petitioner : Mr.S.Malaikani
For Respondents : Mr.B.Bhagawathi
Government Advocate

ORDER



Erudhukattu on 15.09.2018 and Valli Thirumanam Drama on 16.09.2018 as part of Arulmigu Sree Oorkavalur Temple Festival at Velanoor Village, Keelakarai Taluk, Ramanathapuram District.

2. The learned counsel appearing for the petitioner submitted that this festival is being conducted for 100 years in the Temple, namely Arulmighu Oorkavalur 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 third 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 100 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 and fifth respondents 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 and fifth respondent are directed to grant permission and provide protection to the petitioner for conducting Eruthukattu Vizha on 15.09.2018 and Valli Thirumana Drama on 16.09.2018 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.

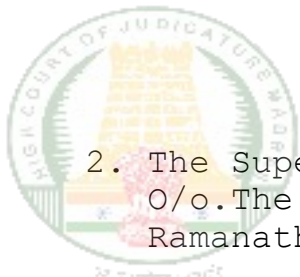
Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The District Collector,
O/o. The District Collector,
Ramanathapuram District,
Ramanathapuram.



2. The Superintendent of Police,
O/o.The Superintendent of Police,
Ramanathapuram District.

3. The Tahsildar,
O/o.The Tahsildar,
Keelakarai Taluk,
Ramanathapuram District.

4. The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Keelakarai Sub-Division,
Ramanathapuram District.

5. The Inspector of Police,
Earvadi Dharha Police Station,
Ramanathapuram District.

+ 1 CC TO Mr.S.MALAIKANI, ADVOCATE IN SR No. 83607

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 84088

DAS

TE/SV/SAR-1 : 12/09/2018 : 3P/8C

W.P. (MD) No.19642 of 2018
11.09.2018