



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 12.09.2018
CORAM
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD) No.19715 of 2018

WEB COPY

S.P.Saravanan

... Petitioner

Vs.

1.The Assistant Commissioner of Police,
Ponmalai Circle (Law and Order)
Trichy City, Trichy.

2.The Inspector of Police,
Ariyamangalam Police Station,
Trichy District.

... 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 made in Na.Ka.No.126/Kaa.Vu.Aa/Po.Sa(L&O)/Thi.Maa/2018, dated 10.09.2018 passed by the 1st respondent and quash the same and consequently direct the respondents to grant permission to the petitioner to celebrate the 'Vinayagar Sathurthi Festival' at Sri Muthumariyamman Kovil Thidal, Kamaraj Nagar, Ariyamangalam, Trichy District, held on 13.09.2018 to 15.09.2018 by installing the Vinayagar Idol in the open auditorium of Kamaraj Nagar, Ariyamangalam, Trichy District and further provide adequate police protection to the festival.

For Petitioner : Mr.A.Azhageson
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 Sri Muthumariyamman Kovil Thidal, Kamaraj Nagar, Ariyamangalam, Trichy 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 Sri Muthumariyamman Kovil Thidal, Kamaraj Nagar, Ariyamangalam, Trichy 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 Sri Muthumariyamman Kovil Thidal, Kamaraj Nagar, Ariyamangalam, Trichy 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 made in Na.Ka.No.126/Kaa.Vu.Aa/Po.Sa (L&O)/Thi.Maa/2018, dated 10.09.2018 passed by the 1st respondent is hereby set aside. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1.The Assistant Commissioner of Police,
Ponmalai Circle (Law and Order)
Trichy City, Trichy.

2.The Inspector of Polie,
Ariyamangalam Police Station,
Trichy District.

+1CC to Mr.A.Azhageson, Advocate, SR.No.83901

W.P.(MD) No.19715 of 2018
12.09.2018

TM/TSG

ES/RP/SAR 1/12.09.2018/2P/4C