



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

W.P (MD) No.19736 of 2018

WEB COPY

Senthilkumar

... Petitioner

-Vs-

1.The Superintendent of Police,
Thanjavur District, Thanjavur.

2.The Deputy Superintendent of Police,
Pattukkottai, Thanjavur District.

3.The Inspector of Police,
Thiruchitrambalam Police Station,
Thanjavur District.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the rejecting order in Na.Ka.No. /Thu.Kaa.Ka/Mugam/Pattu/2018 dated 10.09.2018 passed by the second respondent and quash the same as unconstitutional and consequently direct the second respondent to grant permission and provide adequate police protection for the procession of Vinayagar Chathurthi Festival scheduled to be commenced on 14.09.2018 at about 04.00 p.m, starting from Nariyankadu Bazaar Street to Ammamadam and other places mentioned in the representation dated 07.09.2018 to Ammamadam Kulam.

For Petitioner : Mr.P.Vadivel

For Respondents : Mr.B.Bhagawathi,
Government Advocate.

ORDER

This petition has been filed for a direction to respondents to grant permission for conducting Vinayagar Chathurthi festival and scheduled to be commenced on 14.09.2018 at about 04.00 p.m, starting from Nariyankadu Bazaar Street to Ammamadam.

2. The learned counsel appearing for the petitioner would submit that the festival is being conducted during the month of Aavani every year and this year, it has been decided to conduct the said festival on 14.09.2018 from Nariyankadu Bazaar Street to Ammamadam. The petitioner had given a representation dated 07.09.2018 to the respondents seeking for permission, but the respondent police denied permission. Challenging the said denial the present writ petition has been filed.



3. The learned Government Advocate would submit that 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 third respondent to grant permission and adequate police protection to celebrate the festival of the Vinayagar Idol procession from Nariyankadu Bazaar Street to Ammamadam.

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./Thu.Kaa.Ka/Mugam/Pattu/2018 dated 10.09.2018 passed by the second respondent is hereby set aside. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Superintendent of Police,
Thanjavur District, Thanjavur.
2. The Deputy Superintendent of Police,
Pattukkottai, Thanjavur District.
3. The Inspector of Police,
Thiruchitrambalam Police Station,
Thanjavur District.

+1CC to Mr.P.Vadivel, Advocate, SR.No.83937

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