



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 12.09.2018
CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WEB COPY

W.P (MD) No.19775 of 2018
and
W.M.P. (MD) .No.17557 of 2018

S.Ganesan

... Petitioner

-Vs-

1.The Deputy Superintendent of Police,
Ponnamaravathy Range, Pudukottai District,

2.The Inspector of police,
Thirumayam Police Station,
Pudukottai District.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records in pursuant to the impugned order passed by the first respondent in Na.Ka.No.07/Ka.Thu.Ka.Pon/2018 dated 10.09.2018 and quash the same and directing the respondents to grant permission for temporary installation of Vinayagar idol on 13.09.2018 in front of Sri Maha Mariamman Temple in Meyyapuram Village, Thirumayam Taluk, Pudukottai District and take out procession on 15.09.2018.

For Petitioner	: Mr.M.Karunanithi for M/s.Karthikeyavenkitachalyapathy
For Respondents	: Mr.B.Bhagawathi, Government Advocate.

ORDER

This petition has been filed challenging the order passed by the first respondent dated 10.09.2018 denying the permission to the petitioner to install the Vinayagar Idol and take out procession on 15.09.2018.

2.The learned counsel would submit that the impugned order was passed only based on the fact that the petitioner will take procession through the street where there is a Church and where the persons belonging to the Christian Community are living. The learned counsel would further submit that the petitioner will not take this route and in fact will abide by the route that is suggested by the second respondent.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The learned Government Advocate would submit that if the petitioner is willing to take the procession through the route



fixed by the second respondent, the petitioner will be granted permission to install the Vinayagar idol and take a procession on 15.09.2018.

4. Taking into consideration the facts and circumstances of the case, the impugned order passed by the first respondent is hereby set aside. There shall be a direction to the second respondent to permit the petitioner to install the Vinayagar Idol on 13.09.2018 in front of the Sri Maha Mariamman Temple in Meyyapuram Village, Thirumayam Taluk, Pudukottai District and also take out a procession on 15.09.2018, in the route suggested by the second respondent. It is made clear that the petitioner shall not divert the route and shall strictly comply with the conditions imposed by the second respondent.

5. The Writ Petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Crl side)

/TRUE COPY/

Sub Assistant Registrar(CS-I)

To

1. The Deputy Superintendent of Police,
Ponnamaravathy Range, Pudukottai District,

2. The Inspector of police,
Thirumayam Police Station,
Pudukottai District.

+1.C.C.to M/S.Karthikeyavenkitachalyapathy, Advocate SR.No. 83967

W.P(MD)No.19775 of 2018
12.09.2018

JM/SV/SAR 1/12.09.2018/2P.4C