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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.09.2018

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.20608 of 2018

M.Balakrishnan ... Petitioner

Vs.

1.The Superintendent of Police
Pudukottai District

2. The Inspector of Police
Ganesh Nagar Police Station
Pudukottai District ... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents herein to give adequate police protection to conduct "Vada Manjuvirattu"in village namely Thirukkattalai, Alangudi Taluk, Pudukottai District on 02.10.2018 (Tuesday) subsequent to the Purattasi Festival of Sri Sundara Mahakaliamman Temple situate in village by considering the representation dated 18.09.2018

For Petitioner : Mr.K.G.Arunkumar
For Respondents : Mr.B.Bhagawathi
Government Advocate

ORDER

This writ petition has been filed to issue a direction to the respondents herein to grant permission and protection to conduct "Vada Manjuvirattu" on 02/10/2018 in pursuant to the Purattasi Festival of Sri Sundara Mahakaliamman Temple, by considering the petitioner's representation dated 18.09.2018.

2.The learned counsel appearing for the petitioner submitted that this festival is being conducted for 50 years in the Temple, namely Sri Sundara Mahakaliamman 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 respondents are not in a position to permit the same, since it may cause law and order problem.

4.It is seen from the records that Vada Manjuvirattu has been conducted in the above said village for more than 50 years, jointly by the village people. Hence, this Court is of the view that mere

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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 second respondent to incorporate list of conditions as to how the Vada Manjuvirattu should be conducted without any cruelty to the animals. If the conditions are violated, it is open to the second respondent to take appropriate action, at any stage of the said function. The second respondent is directed to grant permission and provide protection to the petitioner for conducting Vada Manjuvirattu on 02.10.2018 by imposing necessary conditions and also ensure that the entire function would be conducted in a peaceful manner without giving raise to any law and order problem.

6.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar(CS-III)

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To
1.The Superintendent of Police
Pudukottai District

2. The Inspector of Police
Ganesh Nagar Police Station
Pudukottai District

W.P.(MD)No.20608 of 2018

NM/SKN/SAR 3/01.10.18/2P/3C

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