



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.10.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.20687 of 2018

WEB COPY

Sudalaiyandi

... Petitioner

Vs.

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

2. The Inspector of Police,
Sambavarvadakari Police Station,
Tirunelveli District.

3. M.Andi
(R3 impleaded as per the order of this Court
dated 10.10.2018 made in W.M.P.(MD) No.18837 of 2018
in W.P.(MD)No.20687 of 2018) ... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the respondent to grant permission and protection for conduct Kodai Vizha scheduled to be held on 12.10.2018 and 13.10.2018 in Arulmigu Sri Puthiyavan Thirukovil at Sundarapandiapuram Village, Tenkasi Taluk, Tirunelveli District, considering the petitioner's representation dated 12.09.2018.

For Petitioner	: Mr.S.Selva Kumar
For Respondents	: Mr.B.Bhagawathi Government Advocate

ORDER

This writ petition has been filed for a writ of mandamus to direct the respondent police to grant permission and police protection to conduct the Kodai Vizha scheduled to be held on 12.10.2018 and 13.10.2018.

2.The learned Government Advocate for the respondents 1 and 2, on instructions, would submit that there is a dispute between the two parties and if the festival is permitted to be conducted, it will unnecessarily give rise to law and order problem.

3.The learned counsel for the impleaded respondent submitted that the petitioner does not have right to conduct the festival.

4.This Court in order to strike a via media, thinks it fit to direct the Thasildar, Thenkasi Taluk, to conduct the festival for services. It is left open to the parties to participate in the festival.



5.The learned counsel for the petitioner would submit that due to the shortage of time, the festival can be conducted on 26.10.2018 and 27.10.2018 and hence, the Thasildar, Tenkasi Taluk, may be directed to conduct festival on those days.

6.The learned counsel for the impleaded respondents also acceded to the said submission made by the learned counsel for the petitioner.

7.In the facts and circumstances of the case, there shall be a direction to the Thasildhar, Thenkasi Taluk to conduct the Kodai Vizha Festival at Arulmigu Sri Puthiyavan Thirukovil at Sundarapandiapuram Village, Tenkasi Taluk, Tirunelveli District on 26.10.2018 and 27.10.2018. The Thasildar shall permit all the parties to participate in the festival. It is also left open to the Thasildar to take sufficient police protection from the second respondent police. The party shall ensure that the festival goes on peacefully without giving rise to any law and order problem.

8.This writ petition is disposed of with the above directions.
No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
2. The Inspector of Police,
Sambavarvadakari Police Station,
Tirunelveli District.
3. The Thasildar,
Tenkasi Taluk.

+1cc to Mr.S.Selva Kumar, Advocate Sr.No.90014

+1cc to Mr.V.Sasi Kumar, Advocate Sr.No.90055

+1cc to Spl.Government Pleader Sr.No.90206

RMI

VB/SV/SAR2/12.10.2018/2P/7C

W.P. (MD) No.20687 of 2018

10.10.2018