

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.01.2019

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P. No.1768 of 2019

M.V.Sekar

.. Petitioner

Vs.

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

2. The Inspector of Police,
Eriyur Police Station,
Dharmapuri District.

.. Respondents

PRAYER : Writ Petitions filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to give permission to conduct the cultural programme on 25.01.2019 in the event of Sri Kamatchiamman Koil of Moongil Maduvu Post, Pennagaram Taluk, Dharmapuri District on the petitioner's representation dated 19.01.2019.

For Petitioner : Mr.M.Selvam

For Respondents: Mr.E.Balamurugan

Special Government Pleader

सत्यमेव जयते
O R D E R

By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The Writ Petition is filed for a mandamus seeking a direction to the respondents to grant permission to conduct the cultural programme on 25.01.2019 during the festival in Sri Kamatchiamman Koil of Moongil Maduvu Post, Pennagaram Taluk, Dharmapuri District based on the representation dated 19.01.2019.

3. Heard, the learned counsels appearing on both sides.

4. When the matter was taken up for hearing, the learned Special Government Pleader produced the proceedings in Na.Ka.No.01/E4PS/Inspector/2019 dated 23.01.2019 in which, permission was already granted based on the conditions that were set out in Crl.O.P.No.16209 of 2018. The order granting permission was also served on one Sekar, S/o.Vadukuchetty, who is the petitioner herein. A photo copy of the Aadhaar Card was also produced along with acknowledgement for having received the copy of the permission granted. A comparison of the signature found on the acknowledgement and the signatures on the affidavit and vakalat filed herein, makes it very clear that the person, who has signed and acknowledged the order copy has neither sworn the affidavit nor signed the vakalat. This is also evident from the fact that though the representation is dated 11.01.2019, the same has been posted on 19.01.2019 from the post office inside the High Court premises and the acknowledgement was also not furnished.

5. The petitioner without even coming to Chennai has permitted the affidavit and vakalat to be signed by somebody. It may be the counsel for the petitioner or the Advocate's clerk. Though this Court could have initiated criminal proceedings for forging the signature of the petitioner, the counsel is only warned severely of the consequences. In such circumstances, the petitioner cannot be permitted the benefit of the order. Therefore, the order passed by the second respondent dated 23.01.2019 also stands cancelled and the permission sought for for conducting cultural programme is rejected.

6. With the above observations, this writ petition is dismissed. No costs.

s/d-

Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

rsi

To

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

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2. The Inspector of Police,
Eriyur Police Station,
Dharmapuri District.

W.P. No.1768 of 2019

SS (CO)
SP(18/02/2019)



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