



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 22.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**
W.P. (MD) No.6854 of 2019

WEB COPY

S.P.Muruganatham

... Petitioner

Vs

The Special Deputy Collector,
Assistant Election Officer,
Sivagangai Parliament Constituency,
Pudukkottai.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the 5th condition of Impugned Order passed by the respondent in Na.Ka.E/2121/2019, dated 19.03.2019 and quash the same insofar restricting the time of conducting the event and consequently direct the respondent to permit the petitioner to conduct "Valli Thirumanam" Drama Program scheduled to be held on 25.03.2019 from 10.00 p.m. to till the conclusion of the Drama in connection "Panguni Perun Thiruvizha" in "Arulmigu Sri Muthumariamman Kovil at Konnaiyur Village, Ponnamaravathi Taluk, Pudukkottai District.

For Petitioner : Mr.R.Sivalingam

For Respondent : Mr.M.Karuppasamy
Government Advocate

ORDER

Heard the learned counsel on either side.

2.The petitioner is one of the Mandagapadithar for conducting the petition mentioned festival. The temple management has been permitted to conduct the function on 25.03.2019 and 07.04.2019. Since the election code of conduct has come into force, the temple management approached respondent, who has given permission vide proceedings dated 19.03.2019. But the respondent has imposed a condition that the function cannot go beyond 10.00 p.m. The petitioner's difficulty is that every year "Valli Thirumanam Drama" is being performed throughout the night.

3.I am of the view that imposing a condition that the performance cannot go beyond 10.00 p.m., is non reasonable. These are events that are being customarily performed over the years. Therefore the order passed by the first respondent is interfered with only to this extent. All the other conditions imposed by the respondent will have to be adhered to in letter and spirit. The



only relaxation given by this Court is that there cannot be fixation of outer limit for concluding the programme in the instant case.

4.The writ petition is partly allowed. No costs.

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Sd/-

Assistant Registrar (Records)

// True Copy //

Sub Assistant Registrar(CS)

To:

The Special Deputy Collector,
Assistant Election Officer,
Sivagangai Parliament Constituency,
Pudukkottai.

+1cc to Mr.P.SIVALINGAM, Advocate, SR.No. 55861

W.P. (MD) No. 6854 of 2019

22.03.2019

IAS

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