

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 11.04.2019****CORAM :****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****WP(MD)No.7465 of 2019**

N.Ashokan

... Petitioner

Vs.

The Assistant Election Officer,
191-Madurai North Assembly
Constituency cum
The District Manager (TASMAC)
Madurai South,
Madurai District.

... Respondent

Prayer : This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records of the respondent proceedings in Na.Ka.No.Ma2The/2042/2019/11 dated 21/03/2019 and quash the same as illegal and consequently direct the respondent to provide permission to the petitioner to put the Pandhal measuring extent of 10/10 in front of the Super Medical, situated at Goripalayam, Madurai City, to enable the petitioners organization to provide butter milk and water to the general public and devotees from 18.04.2019 at 10.00 A.M to 19.04.2019 at 12.00 Noon during the time of the "Kallalagar Aatril Erangum Vizha".

For Petitioner : Mr.K.Samidurai
For Respondents : Mr.K.Mu.Muthu,
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2.The writ petitioner is running an organisation. He wants to put up Thanneer Pandhal on the occasion of the Chithirai Festival to provide butter milk and water to the general public and devotees.

3.I am of the view that this being a charitable activity cannot be taken exception to. This has nothing to do with the ongoing elections. Therefore, the order impugned in this writ petition is quashed. It is made clear that the Thanneer Pandhal will be put up in such a manner so as not to hinder free flow of traffic. The petitioner has given an undertaking that the Pandhal in question would be erected in such a manner it does not encroach on the road portion.



4.This writ petition is allowed accordingly. No costs.

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// True Copy //

Sd/-

Assistant Registrar (P AND A)

Sub Assistant Registrar(CS I)

To

The Assistant Election Officer,
191-Madurai North Assembly
Constituency cum
The District Manager (TASMAC)
Madurai South,
Madurai District.

1 CC to M/s.SPL GP (SR-60718[F] dated 12/04/2019)
+1 CC to M/s.V.THIRUMAL, Advocate (SR-60630[F] dated 12/04/2019)

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DS/ /SAR- (15.04.2019) 2P 4C