



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.8000 of 2019

and

W.M.P. (MD) No.6302 of 2019

Murugesan

... Petitioner

Vs

The Special Deputy Collector cum
Assistant Election Officer,
No.31, 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 pertaining to the impugned order of the respondent vide his proceedings in Na.Ka.E/2121/2019 dated 27.03.2019 and quash the same and consequently direct the respondent to grant permission to perform the cultural programme namely "Valli Thirumana Nadagam" on 09.04.2019 night at about 10.00 p.m., to 06.00 a.m., in connection with temple festival at Arulmigu Sri Muthumariamman Thirukkivil is situated at Thenoor, Thenoor Post, Ponnamaravathy Taluk, Pudukkottai District based on the petitioner's representation dated 27.03.2019.

For Petitioner : Mr.K.G.Arun Kumar

For Respondent : Mr.M.Rajarajan
Government Advocate

ORDER

Heard the learned counsel on either side.

2.The writ petitioner wants to conduct "Valli Thirumana Nadagam" on 09.04.2019. Since it relates to a temple festival, the model code of conduct will not apply in this case.

3.The respondent is therefore directed to grant permission to the writ petitioner by incorporating appropriate conditions to ensure the proper conduct of the event. However, it is made clear that there will be no imposition of any restriction with regard to



timings. This is because the customary events are held only during night hours. They go on right up to the early hours of the next day morning. Therefore, the order impugned in this writ petition is quashed insofar as there is a restriction regarding timings.

4. This writ petition is allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

SD

ASSISTANT REGISTRAR (CO)

TRUE COPY

SUB ASSISTANT REGISTRAR (CS II)

pnn

To

The Special Deputy Collector cum
Assistant Election Officer,
No.31, Sivagangai Parliament Constituency,
Pudukkottai.

1CC TO MR. K.G. ARUNKUMAR, ADVOCATE SR 59111

DS

4/4/2019

2P 3C

W.P. (MD) No. 8000 of 2019

04.04.2019