

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED :15.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN****W.P. (MD) No.15543 of 2019**

M.Sokkalal

... Petitioner

Vs.

1.The Deputy Superintendent of Police
Cheranmahadevi, Mukkudal
Tirunelveli District

2.The Inspector of Police
Mukkudal Police Station
Mukkudal
Tirunelveli District

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to impugned order passed by the second respondent dated Nil and quash the same as illegal consequently direct the respondents to grant permission to conduct light music and Gramia Nadana function on 16.07.2019 at 10.00 p.m to 1.00 a.m at Sri Muthumalai Ambal Thirukovil, Mukkudal, Tirunelveli District on his representation dated 09.07.2019 or any other time schedule as fixed.

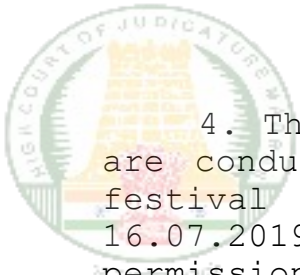
For Petitioner : Mr.R.Suriya Narayanan
For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.side)

O R D E R

This Writ Petition has been filed to call for the records relating to impugned order passed by the second respondent dated Nil and quash the same as illegal, consequently direct the respondents to grant permission to conduct light music and Gramia Nadana function on 16.07.2019 at 10.00 p.m to 1.00 a.m at Sri Muthumalai Ambal Thirukovil, Mukkudal, Tirunelveli District on his representation dated 09.07.2019.

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

3. Mr.K.Suyambulinga Bharathi, learned Government Advocate (Crl. side) takes notice for the respondents.



4. The grievance of the petitioner is that, the village people are conducting festival in the above said temple and during the festival they propose to conduct some cultural programmes on 16.07.2019 at 10.00 p.m to 1.00 a.m, for which, they sought permission from the second respondent Police through representation dated 09.07.2019. But, the second respondent police has refused to grant permission stating that, many community people are likely to assemble in the festival, which may lead to law and order problem. In the above circumstances, the petitioner has approached this Court to set aside the order and seeking permission to conduct the cultural programmes namely light music and Gramia Nadan Function on 16.07.2019 at 10.00 p.m to 1.00 a.m.

5. The learned counsel appearing for the petitioner would submit that there is absolutely no law and order problem in the village. He further submitted that there is no reason given by the second respondent police for restricting the permission, when the village people is celebrating the festival.

6. The learned Government Advocate (Crl.Side) appearing for the respondent police, on instructions, would submit that the second respondent police has already given a permission upto to 10.00 p.m on 16.07.2019. Even in the earlier function, due to some unwanted incident, a criminal case has been registered against some of the villagers. Hence, the second respondent police has restricted the timings upto to 10.00 p.m only on 16.07.2019.

7. Considering the facts and circumstances of the case, there is a likelihood of law and order problem while conducting the festival, the prayer sought for by the petitioner cannot be granted. However, the second respondent police is directed to give permission to conduct the cultural programmes at Sri Muthumalai Ambal Thirukovil, Mukkudal, Tirunelveli District upto to 10.00 p.m only on 16.07.2019.

8. Accordingly, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(AD-I)

// True Copy //

Sub Assistant Registrar(CS)

msa

To

1.The Deputy Superintendent of Police
Cheranmahadevi, Mukkudal
Tirunelveli District



2.The Inspector of Police
Mukkudal Police Station
Mukkudal
Tirunelveli District

+1CC TO MR.R.SURIYA NARAYANAN, Advocate Sr. No. 75240

Order made in
W.P. (MD) No.15543 of 2019
15.07.2019

MR(CO)
TR (16.07.2019) 3P 4C