

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

DATED :18.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN****W.P. (MD) No.15890 of 2019**

R.Muthukrishnan

... Petitioner

Vs.

1.The Deputy Superintendent of Police
Office of Deputy Superintendent of Police
Nanguneri Sub Division
Nanguneri, Tirunelveli District

2.The Inspector of Police
Vijayanarayanam Police Station
Nanguneri
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 of the 1st respondent in Na.Ka.No.84/Se.Mu.Aa/Ka.Thu.Ka/Nanguneri/2019 dated 11.07.2019 quash the same as illegal, arbitrary and unenforceable, consequently direct the respondents to grant permission to perform 'Adal-Paadal' program on 22.07.2019 from 7.00 p.m to 10.30 pm in Sri Sivan Parvathi Amman Temple, Kadankulam Village, Nanguneri Taluk, Tirunelveli District and provide police protection.

For Petitioner : Mr.V.K.Vijayaragavan
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 of the 1st respondent in Na.Ka.No.84/Se.Mu.Aa/Ka.Thu.Ka/Nanguneri/2019 dated 11.07.2019, quash the same as illegal, arbitrary and unenforceable, consequently direct the respondents to grant permission to perform 'Adal-Paadal' program on 22.07.2019 from 7.00 p.m to 10.30 pm in Sri Sivan Parvathi Amman Temple, Kadankulam Village, Nanguneri Taluk, Tirunelveli District and provide police protection.

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 every year the villagers are conducting the festival in the above said temple and in the said festival they used to conduct cultural programme. Now the petitioner's request for conducting cultural programme for this year has been rejected by the first respondent police, dated 11.07.2019 by a vague ground, that there is a law and order problem prevailing in the entire Tirunelveli District. In the above circumstances, the petitioner has approached this Court to set aside the order passed by the first respondent and seeking permission to conduct the cultural programmes 'Adal-Paadal' on 22.07.2019 from 7.00 p.m to 10.30 pm in Sri Sivan Parvathi Amman Temple, Kadankulam Village, Nanguneri Taluk, Tirunelveli District.

5.The learned Government Advocate (Crl.Side), appearing for the respondents, on instructions, would submit that now the first respondent is willing to give permission to the petitioner to conduct the cultural programmes ' Adal-Paadal' in the above said temple on 22.07.2019 from 7.00 p.m to 10.00 p.m only.

6.The learned counsel for the petitioner submitted that the petitioner is ready to agree with the timings as restricted by the first respondent to conduct the above said festival.

7. In view of the above submission, the petitioner is directed to give a fresh representation to the first respondent immediately for grant of permission to conduct the festival with cultural programmes in the above said temple and on such representation, the first respondent police is directed to give permission to the petitioner for peacefully conducting the cultural programmes (Aadal-Paadal) on 22.07.2019 from 7.00 p.m to 10.00 p.m in Sri Sivan Parvathi Amman Temple, Kadankulam Village, Nanguneri Taluk, Tirunelveli District.

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

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar(CS)

msa

1.The Deputy Superintendent of Police
Office of Deputy Superintendent of Police
Nanguneri Sub Division
Nanguneri, Tirunelveli District



2.The Inspector of Police
Vijayanarayanam Police Station
Nanguneri
Tirunelveli District

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3.The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai

+1CC TO MR.V.K.VIJAYARAGAVAN, Advocate Sr. No. 76143

Order made in
W.P. (MD) No.15890 of 2019
Dated:18.07.2019

MA (CO)
TR (19.07.2019) 3P 5C