



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :29.07.2019
CORAM:

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN**

WEB COPY

W.P. (MD) No.16636 of 2019
and
W.M.P. (MD) .No.13290 of 2019

Prabhu

... Petitioner

Vs.

1.The Superintendent of Police,
Madurai District, Madurai.

2.The Sub Inspector of Police,
Perungudi Police Station,
Madurai 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, to call for the records relating to the rejection order passed by the second respondent dated 19.07.2019 and quash the same and consequently direct the second respondent to grant permission and protection to conduct Adalpadal program scheduled to be held on 03.08.2019 in connection "Kumbabishegam" in Arulmigu Sri Amman Ayyanar Madakaruppu Kovil at O Alangulam Village, Thirupparankundram Taluk, Madurai District.

For Petitioner : Mr.S.Sivaprakash
For R-1 & R-2 : Mr.K.K.Ramakrishnan
Additional Public Prosecutor

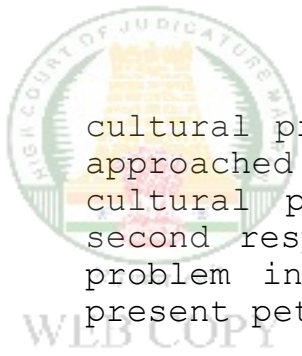
O R D E R

This Writ Petition has been filed challenging the order rejecting the permission sought for by the petitioner to conduct cultural program in connection with "Kumbabishegam" in Arulmigu Sri Amman Ayyanar Madakaruppu Kovil, at O Alangulam Village, Thirupparankundram Taluk, Madurai District.

2.Mr.K.K.Ramakrishnan, learned Additional Public Prosecutor, takes notice for the respondents.

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

4.According to the petitioner, the villagers are proposed to conduct "Kumbabishegam" in the above said Temple. In the above said Kumbabishegam, the villagers want to conduct a



cultural program on 03.08.2019. In this regard, the petitioner has approached the second respondent, seeking permission to conduct the cultural program. But the permission has been rejected by the second respondent only on the ground that there is law and order problem in the area in question. Now challenging the same, the present petition has been filed.

5. Heard the learned counsel on either side.

6. Today, when the matter was taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that only on apprehension of law and order problem, the impugned order has been passed without any *mala fide* intention. He further submitted that as on today, there is no law and order problem.

7. Considering the above circumstances, the villagers want to conduct a cultural program in relation to the Temple festival and also considering the fact that only on a apprehension of law and order problem, the rejection order has been passed, hence, the impugned order passed by the second respondent on 19.07.2019 is set aside and the matter is remitted to the file of the second respondent for fresh consideration. On remittance, the second respondent is directed to consider the petitioner's application and grant permission to conduct the cultural program on 03.08.2019, in connection with "Kumbabishegam" in Arulmigu Sri Amman Ayyanar Madakaruppu Kovil, at O Alangulam Village, Thirupparankundram Taluk, Madurai District, by imposing necessary conditions, in order to maintain law and order.

8. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Madurai District, Madurai.
2. The Sub Inspector of Police,
Perungudi Police Station,
Madurai District.

+1 CC to M/s.S.SIVA PRAKASH, Advocate (SR-78221[F] dated 29/07/2019)

Order made in
W.P. (MD) No.16636 of 2019
Dated: 29.07.2019