



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2019

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CORAM:

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

W.P. (MD) No.17073 of 2019

Agneeswaran

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Manamadurai, Sivagangai District.

3.The Tahsildar,
Manamadurai Taluk, Sivagangai District.

4.The Inspector of Police,
Thiruppachathi Police Station,
Sivagangai 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 pertaining to the impugned order dated 28.07.2019 in Na.Ka.No.07/Inspr/D3PS/2019 and consequently directing the respondents to grant the permission and give adequate police protection for conducting Valli Thirumanam Nadagam on 17.08.2019 in the Veera Makali Amman Temple, Marnadu, Sivagangai District.

For Petitioner : Mr.R.Venkatesan

For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.side)

O R D E R

This Writ Petition has been filed challenging the order passed by the fourth respondent herein, refused to give permission to the petitioner to conduct a "Valli Thirumanam Drama" on 17.08.2019, in Arulmigu Veera Makali Amman Temple, Marnadu, Sivagangai District.

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



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

4.According to the petitioner, every year, the Village people are conducting "Mulaipari Festival" at Arulmigu Veera Makali Amman Temple, Marnadu, Sivagangai District. In the above said festival, they have proposed to conduct a Valli Thirumana Drama, for which, the petitioner sought permission from the respondent Police. But the respondent Police citing some previous occurrences and also citing pendency of several criminal cases, which are not at all relevant to the petitioner's Village, now denied the permission to conduct the drama, on the ground that there is a likelihood of law and order problem.

5.The learned counsel appearing for the petitioner would submit that the First Information Reports referred in the impugned order are not at all relevant to the petitioner's Village and there will be no law and order problem, if any drama is conducted in the petitioner's Village.

6.Per contra, the learned Government Advocate (Criminal side) appearing for the respondents, on instructions, submitted that, there are frequent quarrel between two Community people in the above said Village and many criminal cases are pending against them. He further submitted that last year, in the very same festival, a Peace Committee Meeting was conducted by the Tahsildar, Manamadurai Taluk, Sivagangai District and permitted the petitioner's Village to conduct a Mulaipari festival alone, and denied the permission to conduct any Drama. He further submitted that from the reliable information received by the respondent Police, if any Drama is conducted by the Villagers, there will be a likelihood of law and order problem between two community people, hence, permission has not been granted to the villagers.

7.From perusal of the impugned order, it is seen that the permission has been rejected merely on the ground viz., there are frequent quarrel between two Community People in the Village and some criminal cases are also pending against these two groups, now, the investigation is pending before the respondent Police and from the reliable information received by the respondent Police that if any drama is conducted, there is likelihood of law and order problem. Apart from that, it is also seen that last year, the Tahsildar, Manamadurai Taluk, Sivagangai District, has conducted the Peace Committee Meeting and permitted the Villagers to conduct the Mulaipari Festival alone and denied the permission to conduct the drama.

8.In the above circumstances, this Court is of the view that as there is a likelihood of law and order problem in the Village, the third respondent / Tahsildar, is directed to conduct a Peace Committee Meeting as soon as possible with both the Community people and take a decision regarding conducting the festival as well as the Drama.



9. With the above directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(P&A)

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Sub Assistant Registrar

To

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

2. The Deputy Superintendent of Police,
Manamadurai, Sivagangai District.

3. The Tahsildar,
Manamadurai Taluk, Sivagangai District.

4. The Inspector of Police,
Thiruppachathi Police Station,
Sivagangai District.

+1 CC to M/s.R.VENKATESAN, Advocate (SR-79632[F] dated 05/08/2019)

Order made in
W.P. (MD) No.17073 of 2019
Dated: **05.08.2019**

TSG

JM/07.08.2019/3P-6C