



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2019

CORAM:

THE HONOURABLE Mr.JUSTICE R.SURESH KUMAR

WEB COPY

W.P. (MD) No.17829 of 2019

Krishnan

... Petitioner

Vs.

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Revenue Divisional Officer,
Aranthangi,
Pudukkottai District.

3.The Tahsildar,
Aranthangi Taluk,
Pudukkottai District.

4.The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.

(4th respondent is suo motu impleaded vide order dated 14.08.2019 in this Writ petition)

... Respondents

Prayer: The petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent to provide permission for conducting Annathanam and offer special prayer on 16.08.2019 (the Last Friday of Tamil month of Aadi) or any other date at Arulmigu Kamatchiyamman Temple of Chidambaraviduthi Village, Aranthangi Taluk, Pudukkottai District by considering the petitioner's representation dated 03.06.2019.

For Petitioner : Mr.K.Baalasundharam

For Respondents : Mr.C.M.Mari Chelliah Prabhu, AGP

O R D E R

The prayer in the Writ petition is for a Writ of Mandamus, directing the 3rd respondent to grant permission for conducting "Annathanam" and offer special prayer on 16.08.2019 (the last Friday of Tamil month of Aadi) or any other date at Arulmigu Kamatchiyamman Temple, Chidambaraviduthi Village, Aranthangi Taluk, Pudukkottai District by considering the petitioner's representation dated 03.06.2019.



2. Heard Mr.K.Baalasubdharam, learned counsel for the petitioner and Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader appearing for the respondents.

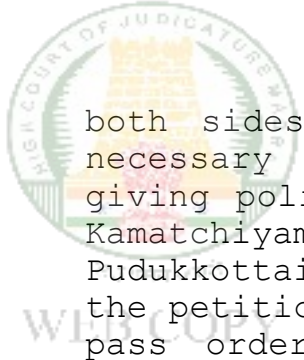
3. The petitioner claimed that, every year he used to give Annathanam (free feeding) to the devotees of Arulmigu Kamatchiyamman Temple situated at Chidambaraviduthi Village, Aranthangi Taluk, Pudukkottai District, either in any of the Friday of the Tamil month Aadi or any other day to be fixed by the authorities concerned, in this regard. In this context, this year also for getting a permission from the revenue authorities as well as Police authorities concerned, the petitioner has given such application / representation to the revenue authorities ie., the respondents 2 and 3 on 03.06.2019 and on considering the same, the 2nd respondent by his proceedings dated 26.06.2019 forwarded the said representation of the petitioner to the third respondent to take suitable action and on receipt of the same, the 3rd respondent who in turn on 30.07.2019 sent a proceedings to the Inspector of Police, Aranthangi Police Station towards giving necessary police protection for smooth conducting of free feeding event at the said Temple. However, the Inspector of Police, so far has not taken any action and no such permission has been given, therefore, the petitioner is before this Court.

4. I have heard the learned Additional Government Pleader appearing for the respondents who would submit that, since the petitioner's request having been forwarded by the respondents 2 and 3 and now it has to be acted upon only by the Inspector of Police concerned, who is not the party herein, hence, he can be impleaded as one of the party respondent in this Writ petition.

5. Considering the said submission made by the learned Additional Government Pleader, this Court feels that since the request of the petitioner has to be decided only by the Inspector of Police concerned, as directed by the 3rd respondent vide proceedings dated 30.07.2019, the Inspector of Police, Aranthangi Police Station, Pudukkottai District is suo motu impleaded as one of the party respondent.

6. The learned Additional Government Pleader also submits that, in view of the said direction issued by the respondents 2 and 3 in the respective proceedings, the needful would be done by the newly impleaded respondent ie., the 4th respondent herein on the said application of the petitioner on merits and in accordance with law and in this regard, having taken into account, the law and order situation prevailing in that locality suitable decision would be taken and the same would be communicated to the petitioner at the earliest.

7. Having regard to the said submission made by the learned counsel appearing for the parties, this Court is inclined to dispose of this Writ petition at the admission stage with the consent of



both sides. That the 4th respondent is hereby directed to pass necessary orders with regard to the plea of the petitioner for giving police protection for the free feeding event at at Arulmigu Kamatchiyamman Temple, Chidambaraviduthi Village, Aranthangi Taluk, Pudukkottai District, by taking into account the representation of the petitioner dated 03.06.2019 as directed by the 3rd respondent and pass orders immediately enabling the petitioner to perform the function at the earliest.

8.The aforesaid exercise shall be undertaken by the 4th respondent within a period of 3 weeks from the date of receipt of a copy of this order.

9.With this direction, the Writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-III)

/TRUE COPY/

Sub Assistant Registrar

To

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Revenue Divisional Officer,
Aranthangi,
Pudukkottai District.

3.The Tahsildar,
Aranthangi Taluk,
Pudukkottai District.

4.The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.

+1 CC to M/s.K.BAALA SUNDHARAM, Advocate (SR-81599[F] dated 14/08/2019)

+1 CC to M/s.SPL GP (SR-81916[F] dated 16/08/2019)

W.P. (MD) No.17829 of 2019
14.08.2019

nbj
JM/19.08.2019/3P/7C