



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : **29.08.2019**
CORAM:

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

WEB COPY

W.P. (MD)No.18047 of 2019
and
W.M.P. (MD) .No.14486 of 2019

D.Davidson

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

3.The Tahsildar,
Thiruvattar Taluk,
Thiruvattar,
Kanyakumari District.

4.The Deputy Superintendent of Police,
Thuckkalai,
Thiruvattar Taluk,
Kanyakumari District.

5.The Inspector of Police,
Thiruvattar,
Thiruvattar Taluk,
Kanyakumari 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 from the fifth respondent in connection with the impugned order of the fifth respondent in C.No.T2PS/36/2019 dated 30.07.2019 rejecting the



petitioner's application for celebration of Ayya Vaikundar Festival for during the period between 06.09.2019 to 16.09.2019 and quash the same and consequently direct the respondents to permit the petitioner to celebrate Ayya Vaiakundar Festival during the period between 06.09.2019 to 16.06.2019.

WEB COPY

For Petitioner : Mr.M.Ramamoorthi
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 fifth respondent, dismissing the petition seeking for permission to conduct the temple festival from 06.09.2019 to 16.09.2019.

2. Heard both sides.

3. According to the petitioner, they proposed to conduct Ayya Vaikundar Festival at Karaipatru, Mathur, Aruvikarai, Thiruvattar Taluk, from 06.09.2019 to 16.09.2019, for which they have sought for permission from the fifth respondent. But the same was rejected on the ground that there is a likelihood of law and order problem. Now, challenging the same, the present writ petition has been filed.

4. The learned Government Advocate (Crl.side) would submit that the petitioner wants to conduct a temple festival for 10 days and by using loud speaker through out the day and because of serious nuisance, law and order problem will arise in that area.

5. Now, the learned counsel for the petitioner would submit that they will not use the loud speaker through out the entire day and they will use the loud speaker from morning 5.00 a.m. to 6.00 a.m. and evening 5.30 p.m. to 8.30 p.m. and the remaining hours, they will not use the loud speaker.

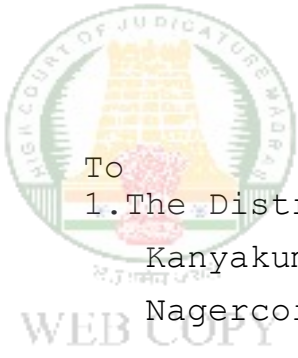
6. Considering the above submission, the petitioner is directed to file a fresh representation to the fifth respondent immediately and on filing such application, the fifth respondent is directed to consider the petitioner's representation and grant permission by imposing necessary condition for maintaining law and order in that area.

7. With the above directions, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-II)

/TRUE COPY/

Sub Assistant Registrar



To
1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

3.The Tahsildar,
Thiruvattar Taluk,
Thiruvattar,
Kanyakumari District.

4.The Deputy Superintendent of Police,
Thuckkalai,
Thiruvattar Taluk,
Kanyakumari District.

5.The Inspector of Police,
Thiruvattar,
Thiruvattar Taluk,
Kanyakumari District.

+1 CC to M/s.P.M.VISHNUVARTHANAN, Advocate (SR-84277[F] dated
29/08/2019)

Order made in
W.P. (MD)No.18047 of 2019
Dated: **29.08.2019**

akv
JM/30.08.2019/3P/7C