



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2019

CORAM:

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

W.P. (MD)No.19101 of 2019

K.Ramar

... Petitioner

Vs.

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

2.The Inspector of Police,
Y.Othakadai Police Station,
Madurai District.

3.The Revenue Divisional Officer,
Melur, Office at Y.Othakadai,
Madurai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the second respondent to grant permission and protection to celebrate "Vinayagar Chathurthi Festival" within the premises of P.R.Ambulance Service, Narasingam Road, Y.Othakadai, Madurai-625 107 from 02.09.2019 to 04.09.2019 based on the petitioner's representation dated 19.08.2019.

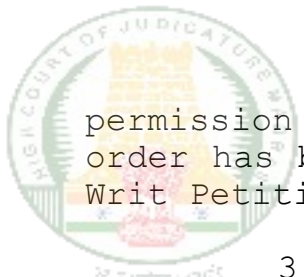
For Petitioner : Mr.H.Velvadhas

For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate

O R D E R

This Writ Petition has been filed seeking permission and protection to celebrate "Vinayagar Chathurthi Festival".

2. The grievance of the petitioner is that the petitioner has filed application before the concerned Police Station seeking



permission to conduct Vinayagar Sathurthi festival. But so far, no order has been passed by the respondent Police. Hence, the present Writ Petition has been filed.

3. Today, when the matter was taken up for hearing, the learned Government Advocate (Criminal side) appearing for the respondents, on instructions, submitted that, recently, the Government has issued G.O.Ms.No.598, Public (Law and order.B) Department, dated 09.08.2018, imposing various conditions for granting permission to instal and worship of Vinayagar Idols. As per the above said Government order, the organizers, who are intending to instal Vinayagar Idol, should apply in a prescribed format (as in Form-1) to the Assistant Commissioner of Police concerned, where, there are Police Commissionerates and Revenue Divisional Officer / Sub Collector, in all the other cases, at least a month in advance along with No Objection Certificates (NOCs) obtained from the land owner concerned, the Station House Officer concerned and Fire and Rescue Services. But the petitioner herein has only approached the concerned Police Station seeking permission. As per the Government Order, the Police Authorities have no power to grant such permission, the learned Government Advocate (Criminal side) has produced a copy of the said Government Order.

4. Considering the fact that, as per the above said Government Order only the Assistant Commissioner of Police / Revenue Divisional Officer / Sub Collector concerned have the power to grant such permission, the petitioner is directed to approach the concerned Authorities and file an application as per the directions issued in the said Government Order. On filing such application, since the festival is going to be held on 02.09.2019, the concerned authorities are directed to consider the petitioner's application and pass suitable orders thereon, within a period of two days from the date of receipt of such applications.

5. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(P&A)

/TRUE COPY/

Sub Assistant Registrar

To

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



2.The Inspector of Police,
Y.Othakadai Police Station,
Madurai District.

3.The Revenue Divisional Officer,
Melur, Office at Y.Othakadai,
Madurai District.

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JM/04.09.2019/3P/4C