



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2019

CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P. (MD)No.20341 of 2019

Selvendran

... Petitioner

Vs.

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

2.The Inspector of Police,
Sipcot Police Station,
Manamadurai, Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents for grant permission for conduct memorial tribute for the petitioner's deceased son by name Karthigaisamy on 11/01/2020 near the petitioners house by considering the petitioner's representation, dated 20/08/2019 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.R.Anandharaj

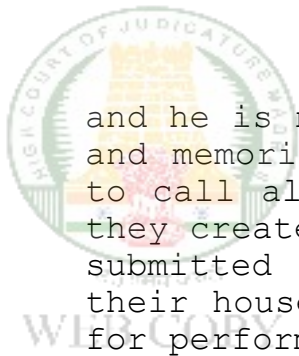
Additional Public Prosecutor

ORDER

This Writ Petition has been filed seeking issuance of writ of mandamus, directing the respondents for grant permission for conduct memorial tribute for the petitioner's deceased son by name Karthigaisamy on 11/01/2020 near the petitioners house by considering the petitioner's representation, dated 20/08/2019 in accordance with law within the time stipulated by this Court.

2.The learned counsel for the petitioner would submit that the petitioner's son was died on 11.01.2017. He wants to conduct a ritual and memorial tribute for his son's death anniversary at his house on 11.01.2020. Therefore, he sought for permission from the second respondent and submitted his representation, dated 20.08.2019.

3.The learned Additional Public Prosecutor submitted that the petitioner is a History sheeter. He involved in more than 48 cases



and he is notorious criminal in the locality. In the name of ritual and memorial tribute for the death anniversary of his son, he used to call all the accused persons to celebrate the function, thereby they create law and order problem in the said locality. Further, he submitted that for conducting ritual and memorial tribute inside their house, they never objected and no need to seek any permission for performing ritual and memorial tribute for the death person. He further submitted that if any law and problem created by them, they will take appropriate action against the petitioner.

4. Heard the counsel on either side.

5. The writ petition has been filed for seeking permission to conduct the petitioner's son third death anniversary rituals and memorial tribute to be conducted on 11.01.2020. Normally, to perform last rites and to conduct ritual and memorial tribute for the dead persons no need to seek any permission from the police authorities, since all the ritual and memorial tributes to be conducted inside their respective houses.

6. It is very unfortunate to see that these kind of writ petitions repeatedly filed before this Bench for seeking permission from the police authorities for trivial issues. Now, the learned Additional Public Prosecutor submitted that they have absolutely no objection to conduct any ritual and memorial tribute for the death of petitioner's son. Further, the petitioner is being a habitual offender and having been involved in more than 48 cases, he wants to conduct the ritual and memorial tribute on the eve of his son's third death anniversary with the police securities. Therefore, this petition is devoid of merits.

7. Accordingly, this writ petition is dismissed. However, at the time of conducting the ritual and memorial tributes for the death of the petitioner's son, if any law and order problem created, the second respondent is directed to take appropriate action as against the petitioner and other law violators in accordance with law. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Sivakasi District.

<https://hcservices.sivakasi.govtamilnadu.org/hcservices>



2.The Inspector of Police,
Sipcot Police Station,
Manamadurai, Sivagangai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

W.P. (MD) No.20341 of 2019
20.09.2019

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