



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :16.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANTHIRAIYAN**

W.P. (MD)Nos.18359 of 2017 and 20048 of 2018
and

WMP (MD)Nos.14808 of 2017 and 17826 of 2018 and 15050 of 2017

M.Abdul Karim .. Petitioner (in both petitions)

Vs.

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

2. The Deputy Superintendent of Police,
Nanguneri, Tirunelveli District.

3. The Inspector of Police
Ervadi Police Station
Ervadi, Tirunelveli District.

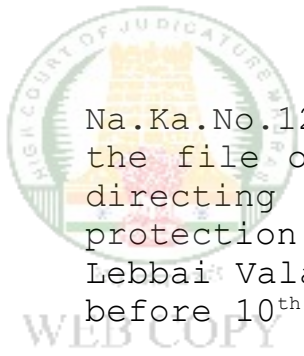
.. Respondents 1 to 3
(in both petitions)

4.P.Mohammed Sirajudeen .. 4th Respondent
(in W.P(MD)No. 20048 of 2018)

(R4 is impleaded vide Court order dated 24.09.2018
in WMP(MD)No.18029 of 2018 in WP(MD)No.20048 of 2019)

Prayer in W.P.(MD)No.18359 of 2017: 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 relating to the proceeding of the impugned proceedings in Na.Ka.No.Se.Mu.A.U.Ka.Ka.Nanguneri/2017, dated 21.09.2017, on the file of the second respondent and quash the same and further directing the respondents to grant permission and adequate police protection to celebrate "Santhanakoodu" of Moharam festival at Lebbai Valaivu and the street thereto on any date before 31st of October 2017.

Prayer in W.P.(MD)No.20048 of 2018: 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 relating to the proceeding of the impugned proceedings in



Na.Ka.No.129/Se.Mu.A/Ka.U.Ka/Nanguneri/2018, dated 28.08.2018, on the file of the second respondent and quash the same and further directing the respondents to grant permission and adequate police protection to celebrate "Santhanakoodu" of Moharam festival at Lebbai Valaivu and the street thereto on 21.09.2018 or on any date before 10th of October.

For Petitioner : Mr.G.Prabhu Rajadurai
(in both Wps)
For Respondents : Mr.K.Suyambulinga Bharathi,
1 to 3 Government Advocate (Criminal Side)
For R4 : Mr.S.Balaji
in WP(MD).No.20048 of 2018

COMMON ORDER

These Writ Petitions have been filed to quash the impugned proceedings in Na.Ka.No.Se.Mu.A.U.Ka.Ka.Nanguneri/2017, dated 21.09.2017, Na.Ka.No.129/Se.Mu.A/Ka.U.Ka/Nanguneri/2018, dated 21.08.2018, 28.08.2018, respectively and adequate police protection to celebrate "Santhanakoodu" of Moharam festival at Lebbai Valaivu and the street thereto.

2.The time schedule for conducting the aforesaid festivals was already over. However, the learned counsel for the petitioner would submit that the said festival will be conducted for this year till the end of this month.

3. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

4.In the result, these writ petitions are dismissed. However, liberty is granted to the petitioner to give a fresh representation to the concerned police official and on receipt of the same, the concerned police is directed to conduct enquiry with the rival parties and pass order on merits and in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)



To

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

2. The Deputy Superintendent of Police,
Nanguneri, Tirunelveli District.

3. The Inspector of Police
Ervadi Police Station
Ervadi, Tirunelveli District.

+1CC TO MR.S.PRABHU RAJADURAI, Advocate in SR.No.87095

+1CC TO MR.S.BALAJI, Advocate in SR.No.86832

W.P. (MD) Nos.18359 of 2017 and 20048 of 2018
and
WMP (MD) Nos.14808 of 2017 and 17826 of 2018 and 15050 of 2017
16.09.2019

das

AE/ (15.10.2019) 3P 6C