



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.05.2020

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH

and

The Hon'ble Ms. Justice P.T.ASHA

W.P.No.7723 of 2020

G.Kuthubdeen,M/40,
S/o Late Gulammohamed,
No.4/594, Kilachetty Street,
Adiyakkamangalam, Thiruvarur District.

... Petitioner

vs

- 1.The Chief Secretary to the Government,
Government of Tamil Nadu,
Secretariat, Chennai.
- 2.The Additional Chief Secretary,
Ministry of Home,
Secretariat, Chennai.
- 3.The District Collector,
O/o District Collectorate,
Thiruvarur.
- 4.The Superintendent of Police,
O/o Superintendent of Police,
Thiruvarur.

... Respondents



Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents to grant permission for special prayer (Eidul-Pithuru) in Pallivasal for 2 hours on the day of Ramalan on 25.05.2020 pursuant to the petitioner's representation dated 17.05.2020.

For Petitioner ... Mr.Muthamizh Selvakumar

For Respondents ... Mr.V.Jayaprakash Narayanan
1 to 4 Government Pleader

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

The petitioner herein has come forward to file this writ petition, seeking a direction to the respondents to grant permission for the special prayer in Pallivasal for 2 hours on the day of Ramalan on 25.05.2020, pursuant to the petitioner's representation dated 17.05.2020.

2. The learned counsel appearing for the petitioner submitted that there is no threat of spreading of corona virus within the District of Thiruvavarur as of now. It forms part of the green zone and therefore, the request of petitioner will have to be acceded to.

3. The learned Government Pleader appearing for the respondents submitted that a policy decision has been taken by the Government not to allow any religious congregations. There is no finality to the zones fixed. The learned Government Pleader further submitted that similar writ petitions viz., W.P.No.7602 of 2020 dated 18.05.2020, W.P.No.7655 of 2020 dated 15.05.2020 and W.P. (MD) No.6288 of 2020 dated 22.02.2020 have been dismissed both by the Principal and the Madurai Bench. Therefore, this writ petition will have to be dismissed.

4. Taking note of the limited fact that similar writ petitions have been dismissed, we are not inclined to allow this writ petition. Security, law and order and taking care of the health especially in the pandemic situation is the sole concern of the State Government. Merely because, the mosque or religious place is situated within the zone classified as 'green', no



right would be created enabling the believer to offer his prayers. It is not, as if, the Government of Tamil Nadu has passed an order prohibiting the prayers in the mosques. In fact, all religious places are closed to public and therefore, no congregation has been allowed.

5. Accordingly, the writ petition stands dismissed. However, the dismissal of the writ petition will not stand in the way of the Government of Tamil Nadu in taking appropriate decision later based upon the ground situation. No costs.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

raa/mmi/ssm

To

- 1.The Chief Secretary to the Government,
Government of Tamil Nadu,
Secretariat, Chennai.
- 2.The Additional Chief Secretary,
Ministry of Home,
Secretariat, Chennai.
- 3.The District Collector,
O/o District Collectorate,
Thiruvarur.
- 4.The Superintendent of Police,
O/o Superintendent of Police,
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