

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.08.2020

CORAM :

The Hon'ble Mr.A.P.SAHI, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.11183 of 2020  
and W.M.P.No.13634 of 2020

V.Anbazhagan ... Petitioner

-vs-

- 1.The Chief Secretary,  
State of Tamil Nadu,  
Fort St. George, Chennai 600 009.
- 2.The Secretary to Government,  
Home Department, Fort St. George,  
Chennai 600 009.
- 3.The Director General of Police,  
O/o. The Director General of Police,  
Dr. Radhakrishnan Salai, Mylapore,  
Chennai 600 004.
- 4.The Inspector General of Police  
(Intelligence), O/o.The Inspector  
General of Police, Dr. Radhakrishnan  
Salai, Mylapore, Chennai 600 004.
- 5.The Commissioner of Police,  
O/o. The Commissioner of Police,  
Vepery, Chennai 600 007.
- 6.Rama Gopalan
- 7.Kadewara C.Subramaniam .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents 1 to 5 to maintain law and order situation and to take all precautions and steps for COVID-19 spread in view of the Vinayagar Chaturthi Festival and to direct the local police

not to allow any installation of Vinayagar Idol as well as any procession all over Tamil Nadu by arresting the Respondents 6 & 7 herein and their men for violating the prohibitory order of the State of Tamil Nadu based on the Petitioner's representation dated 14.08.2020.

For Petitioner : Mr.S.Kumara Devan

For Respondents : Mr.V.Jayaprakash Narayanan  
State Govt. Pleader  
for RR 1 to 5

ORDER

(Order of the Court was passed by The Hon'ble Chief Justice)

Heard learned counsel for the petitioner and learned State Government Pleader for the respondents / State.

2.The petitioner contends that the sixth and seventh respondents are openly threatening to defy the directions issued by the Government, the contents of which are contained in the press release dated 13.08.2020.

3.Learned State Government Pleader contends that the State Government has issued G.O. (Ms.) No.418, Public (Law & Order B) Department, dated 14.08.2020, with information to all concerned and therefore, we find that the State Government, in its wisdom and for proper administration of law and order keeping in view the Covid pandemic situation, has issued directions and we see no reason to suspect that the Government will not take appropriate steps in that regard. The contents of the G.O. are extracted hereinunder:

"In the Government Order first read above, certain guidelines have issued for the installation and worship of Vinayagar idols and also immersion thereof.

2.This year Vinayagar Chaturthi Celebration is proposed to celebrate on 22.08.2020. In view of the prevailing COVID-19 pandemic situation, for the current year, the Government order the following adoptive measures / restrictions:-

- i. In view of the current situation, installation of statues in public places or celebration in public places is not permitted. Similarly there shall be no public procession and immersion of statue in

water bodies. Hence the Government directs the celebration be restricted within the individual house.

- ii. Wherever people visit shops / Market places for procuring certain things for celebrations in all such places public are advised to strictly adhere social distancing norms and always wear face mask.
- iii. The Government had earlier permitted opening of small temples for worship. Wherever the temples are open, worship in such places be permitted as per the Standard Operating Procedure issued by the Government, duly following social distancing norms. In all such places use of face mask shall be compulsory.

3. The above restriction shall be followed scrupulously to avoid dissemination of COVID-19 pandemic."

We, accordingly, dispose of this writ petition, as the Government itself has taken steps in the matter. No costs. Consequently, W.M.P.No.13634 of 2020 is closed.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Chief Secretary to Govt. of Tamil Nadu,  
Fort St. George, Chennai 600 009.
2. The Secretary to Government,  
Home Department, Fort St. George,  
Chennai 600 009.
3. The Director General of Police,  
O/o. The Director General of Police,  
Dr. Radhakrishnan Salai, Mylapore,  
Chennai 600 004.
4. The Inspector General of Police  
(Intelligence), O/o. The Inspector  
General of Police, Dr. Radhakrishnan  
Salai, Mylapore, Chennai 600 004.

5.The Commissioner of Police,  
O/o. The Commissioner of Police,  
Vepery, Chennai 600 007.

+1cc to Mr.S.Kumara Devan, Advocate, in Sr no.27040

+1cc to the Government Pleader

W.P.No. 11183 of 2020

SSV (CO)  
RV (03/09/2020)



WEB COPY