



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.01.2020

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THE HONOURABLE **MR. JUSTICE A.D.JAGADISH CHANDIRA**

W.P. (MD) No.1002 of 2020

S.R.Harish Kumar

... Petitioner

Vs.

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

2.The Inspector of Police,
Kodiakanal Police Station,
Kodaikanal,
Dindigul District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 08.01.2020 and give adequate police protection for the Frequency Crew's Musical Night in the name of "Kodai Music Festive" scheduled to be held at "G.K.Farms" Resorts situated at Kookkal, Kodaikanal, Dindigul District from 06.00 p.m on 06.02.2020 upto 09.00 a.m on 07.02.2020.

For Petitioner : Mr.N.Anandakumar

For Respondent : Mrs.S.Bharathi
Government Advocate (Crl. Side)

ORDER

This writ petition has been filed seeking issue of a writ of mandamus to direct the respondents to consider the petitioner's representation dated 08.01.2020 and give adequate police protection for the Frequency Crew's Musical Night in the name of "Kodai Music Festive" scheduled to be held at "G.K.Farms" Resorts situated at Kookkal, Kodaikanal, Dindigul District from 06.00 p.m on 06.02.2020 upto 09.00 a.m on 07.02.2020.

2.The respondent has filed a counter, wherein it has been stated that the venue where the petitioner has intended to conduct the programme is unlicensed resort/premises. Apprehending risk to



the safety of the participants in the unlicensed resort, in the event of some untoward events, the permission has been rejected.

3.The learned Government Advocate (criminal side) appearing for the respondents would submit that the permission has been rejected on two grounds i.e., (1) on the ground of the venue being an unlicensed resort (2) the venue where the permission is sought for is within the Kookal Village which is within the Aanaimalai Tiger Reserve Sanctuary and fearing that the noise during the programme will cause disturbance to the wild animals, the permission has not been granted.

4.At this Juncture, the learned Counsel for the petitioner would submit that the respondent cannot keep the representation without passing orders and he would pray that a direction may be issued to the respondents to consider the representation and pass orders on merits in accordance with law.

5.This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other.

6.In view of the limited prayer sought for in this writ petition and without going into the merits of the case, there shall be a direction to the respondents to consider the representation of the petitioner dated 08.01.2020 and pass orders on its own merits and in accordance with law, on or before 04.02.2020.

7.With the above direction, this writ petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsg

To

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



2. The Inspector of Police,
Kodiakanal Police Station,
Kodaikanal,
Dindigul District.

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

+1 CC to M/s.N.ANANDAKUMAR, Advocate (SR-3986[F] dated 30/01/2020)

W.P. (MD) No.1002 of 2020
30.01.2020

se (CO)

TR(04.02.2020) 3P 5C