



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 18.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P.(MD) No.18920 of 2020 and
WMP(MD) No.15849 of 2020

Rajadurai

...Petitioner

Vs.

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

2.The Inspector of Police,
Pazhavur Police Station,
Radhapuram Taluk,
Tirunelveli District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 2nd respondent in his proceedings No.Nil dated.Nil and quash the same as illegal, consequently, direct the 2nd respondent to permit to conduct the Villisai Pattu and Melam from 17.12.2020 to 19.12.2020 in Arulmigu Sri Utchipuli Mayavar Temple situated at Chithambarapuram, Pazhavur Village, Radhapuram Taluk, Tirunelveli District.

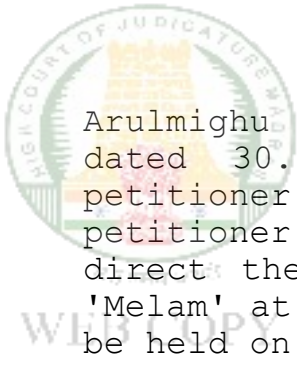
For Petitioner : Mr.K.Arunraj
For Respondents : Mr.R.Srinivasan,
Government Advocate

O R D E R

This writ petition has been filed to quash the impugned order passed by the 2nd respondent and to direct them to permit the petitioner to conduct the Villisai Pattu and Melam from 17.12.2020 to 19.12.2020 in Arulmigu Sri Utchipuli Mayavar Temple situated at Chithambarapuram, Pazhavur Village, Radhapuram Taluk, Tirunelveli District.

2.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.The learned counsel appearing for the petitioner would specifically submit that in an earlier occasion, the petitioner herein has filed W.P.(MD) No.17152 of 2020 seeking to grant permission and police protection for the peaceful performance of Kodai festival scheduled to be held on 17.12.2020 to 19.12.2020 at



Arulmighu Sri Utchipuli Mayavar Temple and this Court by an order dated 30.11.2020 directed the respondents to dispose of the petitioner's representation within a period of one week. Now, the petitioner is before this Court with the present Writ Petition to direct the respondent to permit to conduct 'Villisai Pattu' and 'Melam' at the above mentioned temple, for the function scheduled to be held on 17.12.2020 to 19.12.2020.

4.The learned Government Advocate appearing for the respondents would submit the respondent police had granted permission to conduct the temple festival and rejected permission for having 'Villisai Pattu'and 'Melam'. He would further submit that there is no objection for conducting the temple festival without any cultural programmes as there are rival groups in the same locality.

5.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

6.The impugned order is one line order which reads as follows:-

“வில்லிசை நடத்த அனுமதி மறுக்கப்படுகிறது.”

There is no reason as to why permission for conducting 'Villisai Pattu' has been denied and even the above order cannot be construed as an order and therefore, I am inclined to set aside the impugned order. Accordingly, the impugned order passed by the 2nd respondent is set aside and the matter is remanded to the respondent/police to consider the petitioner's representation afresh and pass suitable orders forthwith. The respondent police is at liberty to impose any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquillity in order to maintain law and order.

7.With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar (CS-III)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

<https://hcservices.ecourts.gov.in/hcservices/>



To

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

2.The Inspector of Police,
Pazhavur Police Station,
Radhapuram Taluk,
Tirunelveli District.

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

W.P. (MD) No.18920 of 2020 and
WMP (MD) No.15849 of 2020
18.12.2020

VRN

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