



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

WP(MD)No.6583 of 2021

Giridharan

... Petitioner

vs.

1.The Superintendent of Police,
Pudukkottai District.

2.The Election Officer / Sub-Collector (Special),
Thirumayam Legislative Assembly Constituency,
Pudukkottai District.

3.The Inspector of Police,
Ponnamaravathi Police Station,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorarified Mandamus calling for the proceedings of the second respondent in Na.Ka.1420/2021/E dated 15.03.2021 and quash the condition 6 and consequently provide permission and protection to conduct Sri Valli Thirumanam Drama on 25.03.2021 in connection with panguni festival of Sri Muthumariamman Temple at Konnaiyur Village, Ponnamaravathi Taluk, Pudukkottai District.

For Petitioner

:Mr.K.G.Arun Kumar

For Respondents

:Mr.A.Robinson,

Government Advocate (Criminal Side)

O R D E R

By consent, this Writ Petition is taken up for final hearing at the admission stage itself.

2. Mr.A.Robinson, learned Government Advocate (Criminal Side) accepts notice on behalf of the respondents.

3. Mr.K.G.Arun Kumar, learned counsel appearing for the petitioner would submit that Sri Valli Thirumanam Drama is scheduled to be held on 25.03.2021 in connection with festival of Sri Muthumariamman Temple at Konnaiyur Village, Ponnamaravathi Taluk, Pudukkottai District. His further contention is that he submitted a representation dated 15.03.2021 seeking permission to conduct the said Drama, and the second respondent issued the proceedings contending that the petitioner can conduct Sri Valli Thirumanam Drama and conclude it before 10.00 p.m. The learned counsel drew the attention of this Court to the orders passed by the Single Judge of this Court in W.P.(MD)No.7380 of 2019, dated 28.03.2019, in which, it is held thus:



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"....2.The petitioner is one of the Mandagapaditharar for conducting the petition mentioned festival. The petitioner wants to conduct drama programme on 30.03.2018 during night. Even though he submitted an application to the respondent, till date it has not been considered. Since the petition mentioned event is to be conducted only in connection with the Temple festival, Election code of conduct will not apply.

3.Therefore, the respondent is directed to give permission to the writ petitioner for conducting the drama incorporating appropriate conditions. It is submitted that the event starts around 10.00 a.m and would go upto the early hours. Therefore, while granting permission, the respondent shall not impose any restriction with regard to timings.."

4.In view of the above decision, the second respondent is directed to consider the representation of the petitioner once again and pass appropriate orders afresh without making any restrictions on the timings.

5.With the above observation, this petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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.



To

1.The Superintendent of Police,
Pudukkottai District.

2.The Election Officer / Sub-Collector (Special),
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+1 CC to M/s.K.G.ARUN KUMAR, Advocate (SR-13584[F] dated 25/03/2021
)

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