



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2021

CORAM :

THE HONOURABLE **Mrs.JUSTICE R.HEMALATHA**

W.P.(MD)No.6620 of 2021

WEB COPY

Krishnamoorthy

...Petitioner

/Vs./

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

2.The Returning Officer /Sub Collector,
Devakottai Legislative Assembly Constituency,
Sivagangai District.

3.The Inspector of Police,
Kundrakudi Police Station,
Sivagangai District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus directing the respondents to grant permission and police protection to conduct Sri Valli Thirumanam Drama, scheduled to be held on 23.03.2021 in connection with the Panguni Uthiram festival of Arultharu Shanmuganathan Temple, Kundrakudi.

For Petitioner : Mr.T.Lenin Kumar

For Respondents : Mr.A.Robinson

Government Advocate (Criminal Side)

ORDER

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 for the respondents.

3.Mr.T.Lenin Kumar, learned counsel appearing for the petitioner would submit that the petitioner is a Member of the festival committee of Arultharu Shanmuganathan Temple, Kundrakudi, and that Sri Valli Thirumanam Drama is scheduled to be held on 23.03.2021. His further contention is that he submitted representations dated 05.03.2021 and 19.03.2021 to the respondents seeking permission to conduct the said Drama, and the second respondent issued proceedings contending that the petitioner can conduct 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:

"....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 III)

// 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,
Sivagangai District,
Sivagangai.

2.The Returning Officer /Sub Collector,
Devakottai Legislative Assembly Constituency,
Sivagangai District.

3.The Inspector of Police,
Kundrakudi Police Station,
Sivagangai District.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-13017[F] dated
23/03/2021)

W.P. (MD)No.6620 of 2021
23.03.2021

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SSS(CO)

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