



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.03.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

WP(MD)No.7115 of 2021

Muthannan

... Petitioner

vs.

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

2.The Inspector of Police,
Nilakkottai Police Station,
Dindigul District.

3.The Election Returning Officer,
Nilakkottai Assembly Constituency,
Nilakkottai, Dindigul 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.36/Inspector of Police/Nilakkottai/2020 dated 17.03.2021 and quash the condition 1 and consequently direct the respondents to provide permission to conduct Madurai Veeran Drama on 31.03.2021, Sri Muthalamman Drama on 01.04.2021 and Annadhanam on 31.03.2021 at Muthalamman, Kalamman, Baghavathiamman and Sri Kottaikaruppasamy Temples in S.Vadipatti Village, Nilakkottai Taluk, Dindigul District.

For Petitioner

:Mr.C.Mayilvahana Rajendran

For Respondents

:Mr.A.Robinson,

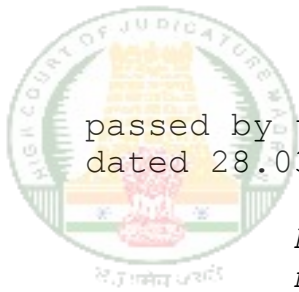
Government Advocate (Criminal Side)

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.C.Mayilvahana Rajendran, learned counsel appearing for the petitioner would submit that Madurai Veeran Drama and Sri Muthalamman Drama are scheduled to be held on 31.03.2021 and 01.04.2021 at Muthalamman, Kalamman, Baghavathiamman and Sri Kottaikaruppasamy Temples. His further contention is that he submitted a representation seeking permission to conduct the said Dramas, and the second respondent issued the proceedings contending that the petitioner can conduct the said Dramas only upto 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 (AS)

// 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,
Dindigul District, Dindigul.

2.The Inspector of Police,
Nilakkottai Police Station,
Dindigul District.

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



3.The Election Returning Officer,
Nilakkottai Assembly Constituency,
Nilakkottai, Dindigul District.

+1 CC to M/s.C.MAYIL VAHANA RAJENDRAN, Advocate (SR-14219[F] dated
29/03/2021)

WP (MD) No. 7115 of 2021

KK (29.03.2021) 3P 5C