



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.10.2021**

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)NO.19287 of 2021

M.Sangili : Petitioner

vs.

1.The Chief Secretary of Tamil Nadu,
St.George Fort, Chennai.

2.The Inspector General of Police,
South Zone, Madurai.

3.The District Collector,
Ramanathapuram District,
Ramanathapuram.

4.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to grant permission to the private vehicles to enter the Muthuramalinga Thevar's Memorial Place at Pasumpon, Ramanathapuram District, on the occasion of the Thevar's Guru Poojai on 28.10.2021, 29.10.2021 and 30.10.2021, by considering petitioner's representation, dated 18.10.2021, within the time stipulated by this Court.

For Petitioner : Mr.M.Maharaja

For Respondents : Mr.P.Thilak Kumar
Government Pleader

O R D E R

[Order of the Court was made by **M.DURAI SWAMY., J.**]

The petitioner has filed the above Writ Petition as a ''Public Interest Litigation'' to issue a Writ of Mandamus, directing the respondents to grant permission to the private vehicles to enter the Muthuramalinga Thevar's Memorial Place at Pasumpon, Ramanathapuram District, on the occasion of the Thevar's Guru Poojai on 28.10.2021,



29.10.2021 and 30.10.2021, by considering the petitioner's representation, dated 18.10.2021, within a time frame.

2.The case of the petitioner is that the Tamil Nadu Government conducts the freedom fighter Pasumpon Muthuramalinga Thevar's 114th Jeyanthi Vizha and 59th Thevar's Guru Poojai on 28.10.2021, 29.10.2021 and 30.10.2021 and at the time of the festival, the people from various community used to worship the Pasumpon Muthuramalinga Thevar and therefore, there should not be any restrictions imposed by the respondents to enter the Memorial place at Pasumpon, Ramanathapuram District on the said dates.

3.The learned Counsel appearing for the petitioner submitted that in the year 2017, in W.P(MD)No.19640 of 2017, dated 26.10.2017, the Division Bench of this Court directed the State Government to make arrangements for special buses / tempo travellers from the point at which restrictions commence i.e., the border of the District and or from the National Highway to Pasumpon. Further the Division Bench directed the police authorities to make adequate security arrangements for entry and exit from the Memorial place during the Thevar Guru Poojai.

4. On a reading of the order, dated 26.10.2017, it is clear that already there were restrictions for entering the Memorial place, during the Guru Pooja days.Now, in view of the COVID Pandemic, when the State Government has not lifted the restrictions in entirety, the State Government has imposed some stringent restrictions to avoid the spread of the pandemic

5.Taking into consideration the present situation, the restrictions imposed by the State Government cannot be lifted, for the reason that it would affect the worshippers, who visit the Memorial place. If the restrictions imposed by the State Government are relaxed, it would lead to spread of COVID-19 Pandemic. Further the third respondent has also issued an order dated 07.09.2021 under Section 144 of the Code of Criminal Procedure prohibiting the entry of hired vehicles into Ramanathapuram District for the Birth/Death anniversaries of various leaders. In these circumstances, we are not inclined to grant the prayer sought for in the Writ Petition.

6.Accordingly, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS I)

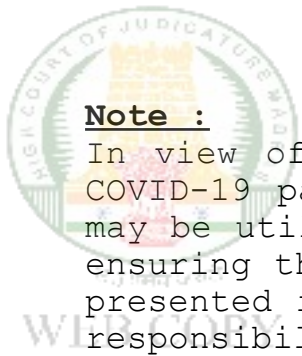
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/ /2021

Sub Assistant Registrar(CS)

vsn/lr

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



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 Chief Secretary of Tamil Nadu,
St.George Fort, Chennai.
- 2.The Inspector General of Police,
South Zone, Madurai.
- 3.The District Collector,
Ramanathapuram District,
Ramanathapuram.
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MGJ(28.10.2021) 3P 5C