



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.20052 of 2021

N.Patha Muthu

... Petitioner

vs.

1.The District Collector,
Madurai District, Madurai.

2.The Inspector of Police,
Peraiyur Police Station,
Madurai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant permission and protection to conduct the Adal Padal Programme on 10.11.2021 at 07.00 pm to 11.00 pm in connection with "Thiru Vizha" of Arulmighu Sri Mariyamman, Sri Kaliyamman Thirukovil, S.Melapatti, Peraiyur Taluk, Madurai District.

For Petitioner	: Mr.R.Karthic Rajan
For Respondents	: Mr.T.Senthilkumar, Additional Public Prosecutor

ORDER

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

2.The prayer in the writ petition is for directing the respondents to grant permission to the petitioner to conduct the petition mentioned event. The learned Additional Public Prosecutor stated that the jurisdictional Revenue Divisional Officer had already given permission for worshipping the deity. The objection from the authorities is only regarding the conducting of the petition mentioned event. According to the respondents, there are two groups, namely, Nadar Uravinmurai and Shri Mariamman Chathriya Hindu Nadar Uravinmurai. Conducting of the petition mentioned event is being opposed by the other group.

3.Though such a statement was made across the bar, when I specifically queried the concerned instructing police official as to who is opposing, the concerned police official was not able to

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mention any particular name. I cannot deny relief to the petitioner on the strength of a vague and general opposition from the respondent police.

4. The learned counsel for the petitioner asserted that there is absolutely no opposition for holding the petition mentioned programme. He stated that except last year, during all the previous years, the petition mentioned programme had been taking place.

5. Taking note of these aspects and particularly, the submission of the petitioner's counsel that there is no opposition, I direct the jurisdictional Deputy Superintendent of Police to grant permission to the petitioner to conduct the petition mentioned event. The petitioner gives an undertaking that they will ensure that the programme is conducted in a smooth manner. It is open to the jurisdictional Deputy Superintendent of Police to stipulate any condition to ensure that the programme is held in a peaceful manner. It is made clear that the petitioner cannot insist regarding timing also. The decision regarding timing is left to the discretion of the Deputy Superintendent of Police concerned. It is open to the Deputy Superintendent of Police to incorporate any condition regarding the decibel level of the amplifier, the timings, the number of participants and the distance to be maintained between them etc.,

6. The writ petition is allowed as indicated above. No costs.

Sd/-

Assistant Registrar (T AND P)

// True Copy //

/ /2021

Sub Assistant Registrar (CS IV)

btr/gbg

To

1. The District Collector, Madurai District, Madurai.

2. The Inspector of Police, Peraiyur Police Station,
Madurai District.

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

COPY TO: THE DEPUTY SUPERINTENDENT OF POLICE,
PERAIYUR SUB DIVISION, MADURAI DISTRICT.

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GC/UV-09/11/2021-2P/5C

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