



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2021

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.22817 of 2021

WEB COPY

P.Sivaraj

... Petitioner

Vs.

1. The Deputy Superintendant of Police,
Colochal, Kanyakumari District.

2. The Inspector of Police,
Nithiravilai Police Station,
Kanyakumari District.

3.S.Jothilingaraj

... Respondents

(R3 is impleaded vide order dated
22.12.2021 in W.M.P.(MD)No.19510 of 2021
in W.P.(MD)No.22817 of 2021 by GRSJ)

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the original records and the impugned order passed by the 2nd respondent dated 14.12.2021 and quash the same and directing the 2nd respondent herein to give permission and protection to conduct our Mankadu Christian Association's 4th Annual Christmas Festival and other programs scheduled in the invitation for two days ie., 22.12.2021 to 23.12.2021 or otherwise the substituted days of 24.12.2021 to 25.12.2021 situated in our office in Door No.4/80 Nagamuttam, ST Mankadu Post, Killyur Taluk, Kanyakumari based on the petitioner's representation dated 09.12.2021 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.M.Punitha Devakumar

For Respondents : Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side) for R1 & R2.
Mr.M.Karthikeya Venkitachalapathy for R3.

ORDER

Heard the learned counsel for the petitioner, the learned Government Advocate (Crl. Side) for the respondents 1 and 2 and the learned counsel for the third respondent.

2.The petitioner is running a society. He applied to the official respondents for conducting the petition mentioned event. By the impugned order, the request was denied. The official respondents have taken the stand that the petitioner's office premises is located between two Hindu temples in which special poojas are also being conducted. According to the official



respondents, permitting the petitioner to hold the petition mentioned event will lead to law and order problems. Questioning the same, this writ petition came to be filed. The writ petition was filed on 20.12.2021.

3.The learned counsel for the intervenor as well as the learned Government Advocate (Crl. Side) drew my attention to the minutes drawn on 20.12.2021 in the peace committee meeting. The petitioner/P.Sivaraj has also signed in the said minutes. In the said meeting, it was agreed that the petitioner will carryout the petition mentioned welfare measures in the land belonging to one Mr.Thanesh. Since the petitioner himself has signed the minutes and there is no affidavit before me that his signature was forcibly taken, I am not inclined to grant any relief to the petitioner. This writ petition stands dismissed.

4.Though the dates mentioned in the peace committee minutes has elapsed, the petitioner is permitted to hold the petition mentioned event at Philan Thottam belonging to Mr.Thanesh on 24.12.2021 between 4.00 pm and 08.00 pm. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

27/12/2021

Sub Assistant Registrar(CS-I)

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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 Deputy Superintendant of Police,
Colochal, Kanyakumari District.
2. The Inspector of Police,
Nithiravilai Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

W.P (MD) No.22817 of 2021
22.12.2021