



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **25.01.2022**

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.1114 of 2022

P.Sathishkumar

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District,
Madurai.

2.The Deputy Superintendent of Police,
Melur Sub Division,
Melur,
Madurai District.

3.The Sub Inspector of Police,
Keelavalavu Police Station,
Madurai District.

... Respondents

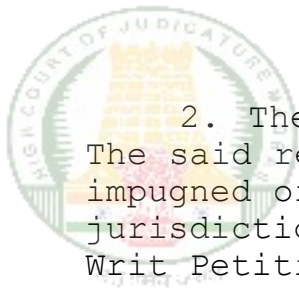
Prayer: Writ Petition is filed under Article 226 Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order dated 29.12.2021 passed by the third respondent herein and quash the same as arbitraty and illegal and without any legal basis and consequently direct the third respondent herein to grant permission to conduct the religious Drama by name "Valli Thirumanam" from 10.00 p.m to 05.30 a.m, on 07.02.2022 in the Chinna Puli Ayyanar and Periya Puli Ayyanar Temple situated at Sumathipuram Village, Melur Taluk, Madurai District.

For Petitioner : Mr.R.Saravanan

For Respondents : Mr.M.Veeranthiran
Government Advocate(Criminal Side)

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondents.



2. The petitioner wants to hold the petition mentioned event. The said request was rejected by the third respondent by passing the impugned order, dated 29.12.2021. The third respondent does not have jurisdiction in the matter and therefore, the impugned order in the Writ Petition is set aside.

WEB COPY

3. It is true that the nation is still in the threat of pandemic. However, the societal activities have substantially returned to normalcy. The petitioner gives an undertaking that the police directives that may be stipulated by the second respondent will be strictly adhered to. In view of the said undertaking given by the petitioner, the second respondent is directed to permit the petitioner to hold the petition mentioned event. It is open to the second respondent to incorporate appropriate conditions to ensure the smooth conduct of the event.

4. Though the petitioner has stated that they want to hold the event throughout the night, I made it clear to the petitioner that the entire event to be concluded by 09.45 p.m. The petitioner has also agreed to abide by the said stipulation.

5. The Second respondent while issuing the proceedings permitting the holding of the event shall stipulate appropriate conditions for adhering to Covid-19 protocol. I make it clear that the order has been passed in this Writ Petition based on the position obtaining today. It is of course open to the second respondent to take a call, if any subsequent lockdown restriction is imposed by the Government. This Writ Petition is allowed. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mga

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,
Office of the Superintendent of Police,
Madurai District,
Madurai.

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



2.The Deputy Superintendent of Police,
Melur Sub Division,
Melur,
Madurai District.

3.The Sub Inspector of Police,
Keelavalavu Police Station,
Madurai District.

+1 CC to M/s.R.SARAVANAN, Advocate (SR-2642[F] dated 27/01/2022)

W.P(MD)No.1114 of 2022
25.01.2022

RD(04.02.2022) 3P 5C