



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.06.2022

CORAM:

THE HONOURABLE MRS.JUSTICE **R.THARANI**

W.P. (MD)No.10705 of 2022

Mathialagan Gounder

... Petitioner

Vs.

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

2.The Inspector of Police,
Thuvarankurichi Police Station,
Trichy District.

3.The Sub-Inspector of Police,
Vallanadu Police Station,
Trichy District.

4.The Tahsildar,
Marungapuri Taluk,
Trichy District.

5.A.Mahadevan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 2 and 3 herein to provide necessary police protection during the festival of Arulmighu Muthumariamman Temple, Thathanoor Village, Marunkapuri Taluk, Trichy District, to be held as from 05.06.2022 to 09.06.2022 and 15.06.2022 in the light of the petitioner's representation, dated 23.05.2022.

For Petitioner : Mr.M.Suresh
For Respondent : Mr.M.Muthumanikkam for R1 to R4
Counsel for Government of Tamilnadu
(Crl. Side)
Mr.K.R.Bardus Zaman for R5

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the the respondents 2 and 3 herein to provide necessary police protection during the festival of Arulmighu Muthumariamman Temple, Thathanoor Village, Marunkapuri Taluk, Trichy District, to be held as from 05.06.2022 to 09.06.2022 and 15.06.2022 in the light of the petitioner's representation, dated 23.05.2022.



2.Heard Mr.M.Suresh, the learned counsel appearing for the petitioner, Mr.M.Muthumanikkam, learned Counsel for Government of Tamil Nadu (Crl. Side), appearing for the respondents 1 to 4 and Mr.K.R.Bardus Zaman, learned counsel appearing for the fifth respondent.

3.On the side of the petitioner it is stated that the petitioner is having a Civil Court decree in his favour in O.S.No.187 of 2013 and the Court order permitted the petitioner to conduct the temple festival. In view of the same, the petitioner used to get permission of this Court every year till 2019 and he used to conduct the temple festival and this year also the petitioner has approached this Court for conducting the festival.

4.On the side of the fifth respondent it is stated that the fifth respondent is willing to co-operate with the petitioner in conducting the temple festival and the fifth respondent is to be permitted to participate in the festival.

5.The respondents 1 to 4 have no objection in granting permission to the petitioner to conduct the temple festival.

6.In view of the submissions made by both the parties, this Court is inclined to grant permission to the petitioner to conduct the temple festival.

7.Accordingly, this writ petition is allowed and the petitioner is permitted to conduct the temple festival of Arulmighu Muthumariamman Temple, Thathanoor Village, Marunkapuri Taluk, Trichy District subject to the following conditions.

'a)The festival shall be conducted in an organised and peaceful manner without causing law and order problem.

b) The fifth respondent is permitted to participate in the temple festival in peaceful manner.

c)The official respondents shall give necessary police protection during the temple festival.

d)The organizers shall be held responsible for any untoward incident.

e)Songs praising communal leaders or having communal overtones should not be played.



f)The petitioner should ensure that no flex board or hoardings depicting any particular community or leader is displayed.

g)All the above terms and conditions should be followed scrupulously by the petitioner and the petitioner shall file an affidavit of undertaking to the said effect before the respondents.

h)If there is any violation of conditions or any law and order problem, the official respondents or the duly authorised officer is entitled to take necessary action as per law.

There shall be no order as to costs.

Sd/-

Vacation Officer/
Assistant Registrar

// True Copy //

03/06/2022

Sub Assistant Registrar(CS)

TM/SM

To

- 1.The Superintendent of Police,
Trichy District, Trichy.
- 2.The Inspector of Police,
Thuvarankurichi Police Station,
Trichy District.
- 3.The Sub-Inspector of Police,
Vallanadu Police Station,Trichy District.
- 4.The Tahsildar,
Marungapuri Taluk,Trichy District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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