



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.06.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)No.11249 of 2022

Anchukannukalungu Arulmigu Madan
Thampuran Esakki Amman Kovil,
Puthukkadai - 629 171,
Kanyakumari District,
Represented by its President. ...Petitioner
Vs.

1. The District Collector,
Kanyakumari District at Nagercoil.

2. The Superintendent of Police,
Kanyakumari District at Nagercoil.

3. The Revenue Divisional Officer,
Padmanabhapuram,
Thuckalay - Post,
Kanyakumari District.

4. The Inspector of Police,
Puthukkadai Police Station,
Puthukkadai Post,
Kanyakumari District. ...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings issued by the fourth respondent Inspector of Police, dated 24.05.2022 and quash the same and further direct the respondents to grant permission to erect decorative Arches and lights at Anjukannukalungu Temple junction on Kuzhithurai to Thengapattinam Road in the event of conducting Asttabandana Maha Kumbabishekam in Arulmigu Mandan Thampuran Esakki Amman Kovil, Anchukannukalungu in Kunnathoor Village of Vilavancode Taluk in Kanyakumari District which is scheduled on 24.06.2022 to 30.06.2022 based on the petitioner representation dated 21.05.2022.

For Petitioner	:	Mr.Prathap V.H.S
For Respondents	:	Mr.M.Sakthi Kumar
		Government Advocate (Crl.Side)



O R D E R

This writ petition has been filed for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings issued by the fourth respondent Inspector of Police, dated 24.05.2022 and quash the same and further direct the respondents to grant permission to erect decorative Arches and lights at Anjukannukalungu Temple junction on Kuzhithurai to Thengapattinam Road in the event of conducting Asttabandana Maha Kumbabishekam in Arulmigu Madan Thampuran Esakki Amman Kovil, Anchukannukalungu in Kunnathoor Village of Vilavancode Taluk in Kanyakumari District which is scheduled on 24.06.2022 to 30.06.2022 based on the petitioner representation dated 21.05.2022.

2. The learned counsel appearing for the petitioner submitted that the petitioner is the President of the Anchukannukalungu Arulmigu Madan Thampuran Esakki Amman Kovil and they have proposed to conduct Kumbabishekam from 24.06.2022 to 30.06.2022. In order to erect decorative Arches and lights on the road, he made a representation to the fourth respondent seeking permission to erect the same. However, the fourth respondent by his impugned order dated 24.05.2022, rejected the representation on the ground of safety measures. He further submitted that in the same area, for the different temples, permission was granted based on the order of this Court in W.P.(MD)No.6607 of 2022, dated 11.04.2022.

3. The learned Government Advocate (Crl. Side) appearing for the respondents submitted that the road where the petitioner seeks permission to erect decorative Arches and lights is the highway road. If the permission is granted to erect decorative Arches and lights on the road, it would cause dangerous situation to the Public. He further submits that if the petitioner undertakes that he would follow and take necessary safety measures for erecting decorative Arches and lights, by giving a fresh representation, the respondents would consider the request made by him.

4. I have considered the submission made by the learned counsel for the petitioner as well as the learned Government Advocate (Crl. Side) for the respondents.

5. The petitioner seeks permission to erect decorative Arches and lights on the road during the temple festival. No doubt, it would cause dangerous situation to the public. The petitioner is undertaking to take necessary safety measures for erecting decorative Arches and lights only for the festival purpose. Further, this Court already permitted to consider the representation by the respondent Police for erecting decorative Arches and lights in the same locality for different temples.



6. In these circumstances, the fourth respondent is hereby directed to consider the fresh representation given by the petitioner for erecting decorative Arches and lights, during the festival time.

7. With the above direction, the writ petition is disposed of.
No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The District Collector,
Kanyakumari District at Nagercoil.
2. The Superintendent of Police,
Kanyakumari District at Nagercoil.
3. The Revenue Divisional Officer,
Padmanabhapuram,
Thuckalay - Post,
Kanyakumari District.
4. The Inspector of Police,
Puthukkadai Police Station,
Puthukkadai Post,
Kanyakumari District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

W. P (MD) No. 11249 of 2022
10.06.2022

SS(16/06/2022) 3P 6C