



W.P(MD)No.28451 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.28451 of 2022

R.Jesly

... Petitioner

Vs.

- 1.The District Collector,
Kanyakumari District.
- 2.The Superintendent of Police,
Kanyakumari District.
- 3.The Deputy Superintendent of Police,
Thucklay Region,
Kanyakumari District.
- 4.The Tahsildar,
Vilavancode Taluk,
Kanyakumari District.
- 5.The Executive Officer,
Arumanai Town Panchayat,
Kanyakumari District.
- 6.The Inspector of Police,
Arumanai Police Station,
Kanyakumari District.



W.P(MD)No.28451 of 2022

7.The Superintending Engineer,
Highways Department,
Nagercoil, Kanyakumari District.

8.C.Steaphen

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 7 not to permit the eighth respondent or any other person from conducting Christmas and New Year celebration by conducting procession and to erect Arches, Flex Boards, Loud Speaker and other things creating public nuisance or inconvenience along the road runs from Arumanai Nediyaivilai to Melatheru and Arumanai to Pallivillai.

For Petitioner : Mr.M.Krishna Sreethar
For R1 to R7 : Mr.E.Antony Sahaya Prabakar
Additional Public Prosecutor

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the respondents 1 to 7 not to permit the eighth respondent or any other person from conducting Christmas and New Year celebration by conducting procession and to erect Arches, Flex Boards, Loud Speaker and other things creating public nuisance or



W.P(MD)No.28451 of 2022

inconvenience along the road runs from Arumanai Nediavilai to Melatheru and Arumanai to Pallivillai.

2. Mr.E.Antony Sahaya Prabahar, learned Government Additional Public Prosecutor takes notice for the respondents 1 to 7. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The learned Additional Public Prosecutor appearing for the respondents 1 to 7 would submit that the third respondent, by considering the representation of the writ petitioner, has granted permission on imposing certain conditions vide proceedings dated 18.12.2022 and in the said proceedings, a specific condition was imposed i.e., not to erect any Arches.

4. The learned counsel appearing for the writ petitioner would submit that there is no condition prohibiting the eighth respondent for erecting the flex board.

5. At this juncture, the learned Additional Public Prosecutor appearing for the respondents 1 to 7 would submit that the said condition may be imposed.



W.P(MD)No.28451 of 2022

6. I have considered the submission of the learned counsel appearing for the writ petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 to 7.

7. Considering the above, the third respondent is directed to issue an another proceedings imposing the condition not to erect any flex board in and around the place of the festival.

8. With the above direction, this Writ Petition stands disposed of.

No cost.

19.12.2022

Index :Yes/No
Internet : Yes/ No
csm

Note : Issue order copy today (19.12.2022)



W.P(MD)No.28451 of 2022

To

WEB COPY

1. The District Collector,
Kanyakumari District.
2. The Superintendent of Police,
Kanyakumari District.
3. The Deputy Superintendent of Police,
Thucklay Region,
Kanyakumari District.
4. The Tahsildar,
Vilavancode Taluk,
Kanyakumari District.
5. The Executive Officer,
Arumanai Town Panchayat,
Kanyakumari District.
6. The Inspector of Police,
Arumanai Police Station,
Kanyakumari District.
7. The Superintending Engineer,
Highways Department,
Nagercoil, Kanyakumari District.
8. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P(MD)No.28451 of 2022

K.MURALI SHANKAR, J

csn

Order made in
W.P(MD)No.28451 of 2022

Dated : 19.12.2022