



W.P(MD)No.1205 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.1205 of 2023

R.Peryathambi

... Petitioner

Vs.

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

2.The Inspector of Police,
Malaiyoor Police Station,
Pudukottai District.

3.Thangavel

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to give permission and police protection to celebrate Maha Sivarathiri Festival in Arulmigu Muthumariamman Temple, Kookaipuliyankollai Village, Karambakudi Taluk, Pudukottai District to be held from 05.02.2023 to 18.02.2023 further directing the second respondent to provide police protection for the “Maha Sivarathri” festival from 05.02.2023 to 18.02.2023 by considering the petitioner's representation dated 15.12.2022.



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For Petitioner : Mr.R.Balakrishnan
For R1 & R2 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

The writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the second respondent to give permission and police protection to celebrate Maha Sivarathiri Festival in Arulmigu Muthumariamman Temple, Kookaipuliyankollai Village, Karambakudi Taluk, Pudukottai District to be held from 05.02.2023 to 18.02.2023 further direct the second respondent to provide police protection for the “Maha Sivarathri” festival from 05.02.2023 to 18.02.2023 by considering the petitioner's representation dated 15.12.2022.

2. Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor takes notice for the respondents 1 and 2.

3. The learned counsel appearing for the writ petitioner submitted that in order to celebrate Maha Sivarathiri Festival for the temple, by name, “Arulmigu Muthumariamman Temple” situated at Kookaipuliyankollai Village, Karambakudi Taluk, Pudukottai District,



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from 05.02.2023 to 18.02.2023, they sought permission of the police by giving a representation dated 15.12.2022. But, the second respondent has not considered the said representation. Since no order was passed, the writ petitioner has come before this Court for the above said relief.

4. The learned counsel appearing for the writ petitioner would further submit that the third respondent has filed a writ petition in W.P. (MD)No.7500 of 2020 seeking to forbear the respondents 1 to 10 therein from interfering into the petitioner's possession and that since the property in the possession of the third respondent is a Government Porampoke land, the writ petition came to be dismissed.

5. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that the writ petitioner's representation dated 15.12.2022 is pending before the second respondent.

6. Recording the submissions made on either sides, the second respondent is directed to consider the representation of the writ petitioner dated 15.12.2022 and pass orders within a period of three days from the date of receipt of a copy of this order.



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7. With the above direction, this writ petition stands disposed of.

No costs.

01.02.2023

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
csm

Note : Issue order copy today (01.02.2023)

To

- 1.The Superintendent of Police,
Pudukottai District,
Pudukottai.
- 2.The Inspector of Police,
Malaiyoor Police Station,
Pudukottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

csn

Order made in
W.P(MD)No.1205 of 2023

Dated : 01.02.2023