



W.P.(MD)No.18910 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.18910 of 2023

R.Subburam

... Petitioner

Vs

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

2.The Inspector of Police,
Masarpatti, Thoothukudi District.

3.Paramasivam

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the second respondent from granting any permission to conduct temple festival in S.No.888, situated at Ayankarisalkulam Village, Ettaiyapuram Taluk, Thoothukudi District, by considering the petitioner's representation dated 01.08.2023.

For Petitioner : Mr.K.Jeyamohan

For R-1 & R-2 : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)



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ORDER

This Writ Petition is filed seeking for a Mandamus under Article 226 of the Constitution of India directing the second respondent Police not to grant permission for conducting of any temple festival in S.No.888, situated at Ayankarisalkulam Village, Ettaiyapuram Taluk, Thoothukudi District, which is a residential area, basing on the representation dated 01.08.2023.

2. It is submitted by learned counsel for the petitioner that earlier the temple festival used to conduct at Ayankarisalkulam Village, Ettaiyapuram Taluk, Thoothukudi District, however, the respondent Police have been granting permission to the persons for conducting festival at Ayankarisalkulam Village, which is purely residential area and on account of conducting of such festival in and around the residential area, lot of inconvenience will cause to the residence of the house situated close to the temple, therefore, suitable directions as sought for.

3. Learned Government Advocate (Criminal Side) on the other hand, submits that the representation of the petitioner was registered as C.S.R.No.162 of 2023 and a notice has been issued to the petitioner, however, the petitioner neither attended and an attempt made by the respondent Police



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asking him over Phone was not considered as the petitioner has disconnected the call made by the respondent Police. It is submitted that the petition has become infructuous as the unofficial respondent has already conducted the festival from 04.08.2023 to 06.08.2023.

4. Since the purpose for which this application is filed has already been defeated, since as the permission has already been granted to unofficial respondent and festival was also conducted, the petition becomes infructuous.

5. However, keeping in view of the submissions made by the petitioner, the respondent Police are directed to consider the grievance of the petitioner whenever an application for grant of permission for conducting the festival is before the Police.

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

No costs.

08.08.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
tsg



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DR.D.NAGARJUN, J.

tsg

To

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

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