



W.P.(MD)No.20025 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.20025 of 2023

Sri Brammasakthi Sri Petchiamman
and Sri Vembadi Sudalaimada Swamy Temple Thiruvizha Committee,
represented by the Deputy Secretary,
S.Muthu Ganesh

... Petitioner

Vs

1.The Superintendent of Police,
Thoothukudi District.

2.The Inspector of Police,
North Police Station,
Thoothukudi District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to award adequate police protection to conduct the temple festival for their family God Sri Brammasakthi, Sri Petchiamman and Sri Vembadi Sudalaimada Swamy Temple, situated at Muthu Naicker Kovil Street, Thoothukudi, which is scheduled to be taken place from 22.08.2023 to 30.08.2023 on the strength of the petitioner's representation dated 08.08.2023.

For Petitioner : Mr.R.Anand

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)



W.P.(MD)No.20025 of 2023

ORDER

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This Writ Petition is filed under Article 226 of the Constitution of India seeking for a Mandamus directing respondent No.2 Police to consider the representation of the petitioner, dated 08.08.2023 to provide adequate Police protection and to give permission to conduct temple festival at Sri Brammasakthi, Sri Petchiamman and Sri Vembadi Sudalaimada Swamy Temple, situated at Muthu Naicker Kovil Street, Thoothukudi, which is scheduled to be held from 22.08.2023 to 30.08.2023.

2. When the matter was taken up for hearing, Ms.Geetha, Advocate, representing the person, by name, Ganapathi, reported that the said Ganapathi will have objections for conducting the temple festival from 22.08.2023 to 30.08.2023. According to counsel for intervener, Ms.Geetha, Ganapathi and his persons intend to perform the temple festival on 11.09.2023 and 12.09.2023. It is brought to the notice by Ms.Geetha, Advocate, appearing for the said Ganapathi that a civil suit is filed by one Senthilmurugan seeking for declaration of his right to perform festival in the temple. Learned counsel for the petitioner in this writ petition reported no objections, if the said Ganapathi or any other person, intends to perform the temple festival on any other dates expected 22.08.2023 to 30.08.2023.



W.P.(MD)No.20025 of 2023

3. Learned Government Advocate (Criminal Side) submits that the Police have no objection, if both the parties conduct the temple festival separately on different dates.

4. Offering prayers in the temple and conducting the festival is everybody's right and anybody, who has got faith in the temple or deity, can offer prayers and conduct the festival. Here intervener by name Ganapathi cannot say that the petitioner cannot perform the temple festival

5. In view of the above, the respondent Police are directed to consider the representation of the petitioner, dated 08.08.2023 and dispose of the same as quickly as possible and provide suitable permission by imposing conditions as per the guidelines of the Police vide proceedings in Rc.007301/Genl.I (1)/2019, dated 09.04.2019, keeping in view that the temple festival is scheduled from 22.08.2023 to 30.08.2023.

6. With the above direction, the Writ Petition is disposed of. No costs.

18.08.2023

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

<https://www.mhca.in.gov.in/judis>
Note : Issue Order copy by 21.08.2023



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W.P.(MD)No.20025 of 2023

DR.D.NAGARJUN, J.

tsg

To

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

W.P.(MD)No.20025 of 2023

18.08.2023