



W.P.(MD)No.21186 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2023

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THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.21186 of 2023

R.Thangasamy

... Petitioner

Vs

1.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Tisaiyanvilai Police Station,
Tirunelveli District.

3.Kumaraguru

4.Selvaraj

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing respondent Nos.1 and 2 to provide permission and police protection to the petitioner for conducting festival for Sri Sudalaimadan Temple, Tharagankadu, Kurugapuram, Tisaiyanvilai Taluk, Tirunelveli District, on 01.09.2023, by considering the petitioner's representations dated 22.08.2023 and 24.08.2023.

For Petitioner : Mr.R.Balakrishnan

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



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ORDER

This Writ Petition is filed under Article 226 of the Constitution of India, by way of Mandamus, seeking for a direction to respondent Nos.1 and 2 Police to consider the representations of the petitioner, dated 22.08.2023 and 24.08.2023 and grant permission for conducting of a festival in the Temple on 01.09.2023.

2. It is submitted by learned counsel for the petitioner that he has been residing and doing business at Tiruppur and intending to perform temple festival by way of Kumbabisegam at Sri Sudalaimadan Temple, Tharagankadu, Kurugapuram, Tisaiyanvilai Taluk, Tirunelveli District and accordingly, he has filed an application before the respondent Police by way of representations dated 22.08.2023 and also on 24.08.2023, however, the respondent Police have not granted any permission, thereby, sought for suitable directions. Learned counsel for the petitioner has also submitted that yesterday evening, the Inspector of Police has telephonically informed that the Police have no objection for performing the festival, however, directed the petitioner not to insist the key of a room where the temple valuable articles were kept.

3. Learned Government Advocate (Criminal Side), on the other

<https://www.mhcdia.gov.in/judicial> and, submits that, the representation of the petitioner is given as



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C.S.R.No.1359 of 2023, dated 23.08.2023 and an enquiry was initiated,

however, neither the petitioner nor the parties, who are opposing the petitioner for conducting of the festival have appeared for the enquiry and thereby, representation is still pending. It is also submitted that the representation of the petitioner was referred to the Tahsildar and he has also tried to convene a meeting, but, both of them failed to attend the meeting, thereby, no decision could be taken. It is also submitted that there are strong objections from the rival parties, in case, if permission is granted, there could be a issue of law and order problem in the village.

4. In view of the above, the petitioner is directed to appear for the enquiry before the respondent Police in respect of the representation given by him, dated 22.04.2023 and the respondent Police are directed to complete the enquiry and dispose of the application filed by the petitioner as quickly as possible keeping in view of the fact that the temple festival is scheduled on 01.09.2023.

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

31.08.2023

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,
Tirunelveli District.
- 2.The Inspector of Police,
Tisaiyanvilai Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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