



W.P(MD)No.15006 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 05.07.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
and
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

W.P(MD)No.15006 of 2024

S.John Fernando

... Petitioner

VS.

- 1.The Director,
Tamil Development and Advertisement Department,
St. George Fort,
Secretariat,
Chennai.
- 2.The District Collector,
Thoothukudi District,
Thoothukudi.
- 3.The Commissioner,
Thoothukudi District,
Thoothukudi.
- 4.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
- 5.The District Fire and Rescue Officer,
Ganesh Nagar,
Thoothukudi.
- 6.The Executive Engineer,
PWD,
Thoothukudi.

1/6



W.P(MD)No.15006 of 2024

7.The District Education Officer,
Thoothukudi District,
Thoothukudi.

8.The Correspondent,
St. Francis Xavier's Higher Secondary School,
Thoothukudi.

9.The President,
Exhibition Committee,
Our Lady of Snows,
No.82-A/2, Maria Tower IIInd Floor,
George Road,
Thoothukudi – 628 008.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the official respondents to take necessary action against the respondents 8 and 9 and direct them not to grant any permission to conduct exhibition in Xaveriana School, Playground at Beach Road, Near Bell Hotel, Thoothukudi, by considering the representation of the petitioner dated 20.11.2023 within the time stipulated by this Court.

For Petitioner : Mr.M.Jegadeesh Pandian

For Respondents : Mr.P.Thilak Kumar
Government Pleader
for R.1 & R.2 & R.5 to R.7

: Mr.N.Ananda Kumar
for R.3

: Mr.T.Senthil Kumar
Additional Public Prosecutor
for R.4



W.P(MD)No.15006 of 2024

WEB COPY

ORDER

(Order of the Court was made by R.SURESH KUMAR, J.)

Though the prayer sought for herein is for a Writ of Mandamus, to direct the official respondents to take necessary action against the respondents 8 and 9 and direct them not to grant any permission to conduct an exhibition in Xaveriana School, Playground at Beach Road, Near Bell Hotel, Thoothukudi, by considering the representation of the petitioner dated 20.11.2023 within the time stipulated by this Court, Mr.M.Jegadeesh Pandian, learned counsel appearing for the petitioner has made submissions stating that till last year in the School ground belongs to the eighth respondent after getting permission from the eighth respondent exhibition for more than 30 days relating to the Temple festival was conducted by the ninth respondent.

2.This year, it is the apprehension of the petitioner that the ninth respondent may approach the eighth respondent to get such permission. Therefore, apprehending such a move on the part of the ninth respondent and based on which, the eighth respondent may give permission to the ninth respondent to conduct the exhibition, the present Writ Petition has been filed as a pre-emptive Writ Petition.



W.P(MD)No.15006 of 2024

WEB COPY

3.It is the submission of the learned counsel appearing for the petitioner that he is not aware of whether any permission has been granted by the eighth respondent to the ninth respondent or any other party to have a similar exhibition in this year also. When that being so, such a pre-emptive Writ Petition based on the presumption and assumption cannot be entertained by this Court.

4.With the result, this Writ Petition fails. Hence it is dismissed.
However, there shall be no order as to costs.

[R.S.K.,J.] [G.A.M.,J.]
05.07.2024

NCC : Yes / No
Index : Yes / No
ps



W.P(MD)No.15006 of 2024

To

WEB COPY

- 1.The Director,
Tamil Development and Advertisement Department,
St. George Fort,
Secretariat,
Chennai.
- 2.The District Collector,
Thoothukudi District,
Thoothukudi.
- 3.The Commissioner,
Thoothukudi District,
Thoothukudi.
- 4.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
- 5.The District Fire and Rescue Officer,
Ganesh Nagar,
Thoothukudi.
- 6.The Executive Engineer,
PWD, Thoothukudi.
- 7.The District Education Officer,
Thoothukudi District,
Thoothukudi.



W.P(MD)No.15006 of 2024

R.SURESH KUMAR,J.
and
G.ARUL MURUGAN,J.

ps

ORDER MADE IN
W.P(MD)No.15006 of 2024

DATED : 05.07.2024