

Rajkumar and Others Vs. The Superintendent of Police, Theni and Another

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Court : Chennai Madurai

Decided On : Mar-02-2016

Judge : P.N. Prakash

Appeal No. : W.P.(MD) Nos. 4250, 4266, 4288, 4294, 4296 of 2016

Appellant : Rajkumar and Others

Respondent : The Superintendent of Police, Theni and Another

Judgement :

(Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the 2nd respondent herein to grant permission to conduct the cultural function at Arulmigu Sri Kalamman Temple Odaipatti in connection with the celebration of the Arulmigu Sri Kalamman festival on the 7th day to 9th day of March 2016.)

1. This writ petition has been filed, seeking a direction to the 2nd respondent herein to grant permission to conduct the cultural function at Arulmigu Sri Kalamman Temple Odaipatti in connection with the celebration of the Arulmigu Sri Kalamman festival on the 7th day to 9th day of March 2016.

2. Learned counsel for the petitioner would submit that the villagers jointly decided to conduct cultural function in Arulmigu Sri Kalamman Temple Odaipatti in connection with the celebration of the Arulmigu Sri Kalamman festival on the 7th day to 9th day of March 2016. He would further submit that in this connection, a

representation was given to the respondent police on 25.02.2016, with a request to grant permission to conduct the programme on the above said date. However, the respondent Police has not yet considered the said representation and hence, the petitioner is before this Court with this Writ Petition.

3. Heard the learned counsel on either side.

4. This Court is aware of the fact that the Election Commission of India is likely to announce time table for elections to the State Assembly and therefore, the Police will be under much strain. Under such circumstances, it will not be advisable to grant permission for such programmes, if there are going to be a law and order problem.

5. However, in view of the limited scope of prayer sought for in this petition, the respondent police are directed to pass orders on merits and in accordance with law either permitting or rejecting the representation dated 25.02.2016, given by the petitioner, taking into account the law and order problem and other aspects, prevailing in that area, as expeditiously as possible.

With the above direction, this Writ Petition is disposed of.

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