



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2011

CORAM:

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

W.P (MD) No.8441 of 2011

and

M.P (MD) Nos.1 and 2 of 2011

M.Gopalakrishnan

.. Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai.

3.The Tahsildar,
Taluk Office,
Melur,
Madurai.

4.The Inspector of Police,
Office of the Inspector of Police,
Melur,
Madurai.

5.Anwar Bag

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order made in by the third respondent in Na.Ka.No.582/2010/A2, dated 25.07.2011 and quash the same and consequently allow the petitioner and his vakaiyaras to celebrate the Sri Vellimalaiyandi Kovil Festival in the Tamil Month of Aadi on any one of Monday and Tuesday for two days in the forthcoming years in Sambiranipatti Village, A.Vellallapatti, Melur Taluk.

For Petitioner : Mr.V.Kathirvelu (SC) for
Mr.M.Thirunavukkarasu
For R1 to R4 : Mr.TR.Janarthanam
Addl. Govt. Pleader
For R5 : Mr.S.A.Ajmal Khan

O R D E R

This Writ Petition has been filed to quash the order passed by the third respondent in Na.Ka.No.582/2010/A2, dated 25.07.2011 and consequently allow the petitioner and his vakaiyaras to celebrate the Sri Vellimalaiyandi Kovil Festival in the Tamil Month of Aadi on any one of Monday and Tuesday for two days in the forthcoming years in Sambiranipatti Village, A.Vellallapatti, Melur Taluk.



2. Heard Mr.V.Kathirvelu, learned Senior Counsel representing Mr.M.Thirunavukkarasu, learned counsel for the petitioner and Mr.TR.Janarthanam learned Additional Government Pleader, who takes notice for R-1 to R-4 and Mr.S.A.Ajmal Khan, learned counsel who takes notice for the fifth respondent.

3. By consent, the Writ Petition itself is taken up for final hearing.

4. As prayed for, without going into the merits of the petitioner's claim, the first respondent is directed to consider the petitioner's representation, dated 27.07.2011, on its own merits and in accordance with law, as expeditiously as possible. If any third party will be affected by the nature of the relief sought for by the petitioner or by any order to be passed, the authority shall hear such person to avoid the allegations of violation of principles of natural justice. It is made clear that this Court has not expressed any opinion on the merits of the case and the authority concerned is free to deal with the matter on its merits as per law.

5. With the above direction, this Writ Petition is disposed of. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Madurai District, Madurai.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai.

3.The Tahsildar,
Taluk Office,
Melur, Madurai.

4.The Inspector of Police,
Office of the Inspector of Police,
Melur, Madurai.

+1CC TO MR.M.THIRUNAVUKKARASU, ADVOCATE SR.25163

+1CC TO MR.S.A.AJMALKHAN, ADVOCATE SR.25242

Pm

SR ; 03.08.2011 : 2p/7c

W.P. (MD) No.8441 of 2011
29.07.2011