

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)**

SUNDAY ,THE TWENTY SIXTH DAY OF MAY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION (SR) NO: 19401 of 2024

Between:

Dadi Erukunaidu and others **...PETITIONERS**

AND

The State of A.P and Others **...RESPONDENT(S)**

Counsel for the Petitioners:

Sri K.K.Durga Prasad

Counsel for the Respondent(S):

1. G.P. FOR HOME
2. STANDING COUNSEL FOR ELECTION COMMISSIONER

The Court made the following:

ORDER

Heard Sri K.K.Durga Prasad, learned counsel for the petitioners, Ms.Tanusha, learned counsel representing Sri D.S.Siva Darshan, learned Standing Counsel appearing for respondent No.3 and Sri Nirmal Kumar, learned Assistant Government Pleader for Home appearing for respondent No.5.

2. The writ petition is filed to declare the action of respondent No.5 in not granting permission according to the representation made by the petitioners dated 20.05.2024 for conducting Goddess Pedapydimamba Ammavaru puja on Vysakha Masa Panchami i.e. 27.05.2024 to 29.05.2024, as illegal and arbitrary.

3. Sri K.K.Durga Prasad, learned counsel for the petitioners would submit that the festival is being conducted once in five years. The petitioners belonged to different political parties and are holding offices, made a representation, dated 20.05.2024 to respondents Nos.4 and 5 seeking permission to conduct the festival. However, there is no response from them.

4. Sri Nirmal Kumar, learned Assistant Government Pleader for Home appearing for respondent No.5, on instructions, would submit that permission was granted to conduct the festival with certain conditions. The instructions signed by the learned Superintendent of Police, Anakapalli District, dated 26.05.2024 are placed on record. The operative portion of the instructions reads as follows:

“There is an input that the persons in the both parties of the village are looking for a chance to attack on each other and create law and order issue in the village during the festival time. During the village festivals if the

stage programmes are allowed people from other villages would also visit and gather. So the police did not grant permission for stage programmes and usage of DJ sound system as well as bursting of firecrackers in the said festival. But, Police have no objection if goddess festival is celebrated traditionally in the village without any quarrels.”

5. In fact, in the instructions it was mentioned about the quarrel between the rival parties on 04.05.2024.

6. Thus, as seen from the instructions, respondent No.5 accorded permission to conduct Goddess Pedapaydimamba Ammavaru puja on Vysakha Masa Panchami without stage programs and usage of DJ sound system as well as bursting of firecrackers. Since permission is accorded, the prayer sought in the writ petition is misconceived. Hence no further hearing is required. At this juncture, Sri K.K.Durga Prasad learned counsel would submit that the organizers will conduct mythological programs, and such programs may be permitted. Since the writ petition is filed questioning the action of the respondent authorities qua non-granting of permission to conduct festivals and in fact, permission was granted this court is not inclined to go into those aspects. It is open to the petitioners to seek permission from the authorities. If the

petitioners make such an application, the respondent authority, based on the conditions prevailing, shall examine and pass such appropriate orders.

7. Accordingly, the writ petition is closed. No order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand dismissed.

JUSTICE SUBBA REDDY SATTI

Date: 26.05.2024
SDP

THE HON'BLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION (SR) No.19401 OF 2024

Date: 26.05.2024
SDP