

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.03.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD) No.6303 of 2023

Selvaraj. S

... Petitioner

Vs.

1. The Superintendent of Police,
Theni District,
Theni – 625 531.

2. The Inspector of Police,
Gudalur North Police Station,
Gudalur - 625518,
Uthamapalayam Taluk,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 2nd respondent in Na.Ka.Indu 06/C1-GDR Gudalur Circle Police station 2023 dated 16.03.2023 and quash the same and consequently direct the respondents to grant permission to conduct adal padal cultural programme programme name of the style Mister Miranda on 01.04.2023 at 6.30 pm to 12.00 pm and 02.04.2023 Children Dance programming at

about 6.00 pm to 12.00 pm respectively at A/m Sri Sathavarayan Temple karunagamuthanpatti Village, Keela Gundalur post, Uthamapalayam Taluk, Theni District.

For Petitioner : Mr. Karuppasamy Pandiayan. M

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 2nd respondent in Na.Ka.Indu 06/C1-GDR Gudalur Circle Police station 2023 dated 16.03.2023 and quash the same and consequently direct the respondents to grant permission to conduct adal padal cultural programme programme name of the style Mister Miranda on 01.04.2023 at 6.30 pm to 12.00 pm and 02.04.2023 Children Dance programming at about 6.00 pm to 12.00 pm respectively at A/m Sri Sathavarayan Temple karunagamuthanpatti Village, Keela Gundalur post, Uthamapalayam Taluk, Theni District.

2. Mr.B.Nambiselvan, learned Additional Public Prosecutor takes notice for the respondents. By consent, this writ petition is taken up for

final disposal at the admission stage itself.

3. The learned counsel appearing for the writ petitioner submitted that festival for the temple, by name, “Sri Sathavarayan Temple karunagamuthanpatti Village, Keela Gundalur post, Uthamapalayam Taluk, Theni District”, is going to be held on 31.03.2023 to 02.04.2023. Subsequent to the same, in order to conduct a cultural programme on 01.04.2023 and children dance program on 02.04.2023, they sought permission of the police by giving a representation dated 15.03.2023. But, the second respondent has considered and rejected the said representation. Challenging the same, the writ petitioner has come before this Court for the above said relief.

4. The learned Additional Public Prosecutor appearing for the respondents would submit that when the similar program was arranged, a murder took place on 2015 in the neighboring village. If fresh representation is given to the second respondent by mentioning children's event, the same will be considered.

5. I have considered the submission of the learned counsel appearing for the writ petitioner and the learned Additional Public Prosecutor appearing for the respondents.

6. It is noted that the second respondent police without considering the circular of the Director General of Police, Tamil Nadu, Chennai in Rc.007301/Genl.I (1)/2019 dated 09.04.2019 passed the impugned order.

7. The learned counsel for the petitioner submitted that only children's program is arranged on 02.04.2023. But reading of the representation given by the petitioner shows that several events are mentioned and regarding children's events no mentioning has been made. The petitioner wants to make arrangement to conduct the events for the children's program and he will make fresh representation to the second respondent by mentioning children's events.

8. In view of the circular issued by the Director General of Police, Tamil Nadu, Chennai in Rc.007301/Genl.I (1)/2019 dated 09.04.2019, rejection order in Na.Ka.Indu15/Alangai.Ka.Ni./2023, dated 07.03.2023, passed by the 2nd respondent is hereby set aside. The writ petitioner is

directed to file a fresh representation by mentioning children's events before the second respondent and on such representation, the second respondent shall consider the same favourably and pass suitable orders based on the above said circular and the time for conducting the cultural programme may be fixed by the concerned authority, depending upon the situation in the locality.

9.With the above directions, this Writ Petition stands disposed of.

No costs.

30.03.2023

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

Indu

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Theni – 625 531.
2. The Inspector of Police,
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Theni District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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G.ILANGO VAN, J

Indu

Order made in
W.P(MD) No.6303 of 2023

Dated : 30.03.2023