



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2020

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THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.P (MD) No.1196 of 2020

PL.Selvam

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Thirupathur Division,
Sivagangai District.

2.The Inspector of Police,
Poolangurichi Police Station,
Sivagangai District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to Na.Ka.No.02/Ka.Thu.Ka.Thi./2020, dated 10.01.2020 passed by the first respondent and quash the same as illegal and consequently, direct the respondents to grant necessary permission and give adequate police protection to conduct "Vadamadu Manju Virattu" in the village, namely, Sullampatti, Poolangurichi Post, Thirupathur Taluk, Sivagangai District, on 26.01.2020 in the eve of the temple festival of Arulmigu Sri Chinnaiah Swamy Thirukovil situated in that village by considering the petitioner's representation dated 03.01.2020.

For Petitioner : Mr.A.Arul Jenifer

For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

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ORDER

[Order of the Court was made by **M.DURAI SWAMY, J.**]

The petitioner has filed the above writ petition to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the order dated 10.01.2020 passed by the first respondent and quash the same and consequently, directing the respondents to grant necessary permission and give adequate police protection to conduct "Vadamadu Manju Virattu" in the village, namely, Sullampatti,



Poolangurichi Post, Thirupathur Taluk, Sivagangai District, on 26.01.2020 in the eve of the temple festival of Arulmigu Sri Chinnaiah Swamy Thirukovil situated in that village by considering the petitioner's representation dated 03.01.2020.

2. It is the case of the petitioner that the petitioner gave a representation to the respondents seeking permission to conduct "Vadamadu Manju Virattu" on 26.01.2020. However, the first respondent by order dated 10.01.2020 rejected the representation of the petitioner on the ground that there was some dispute between two groups of villagers in Sullampatti Village and therefore, the permission cannot be granted for conduct of "Vadamadu Manju Virattu" on 26.01.2020. Challenging this order, the petitioner has filed the above writ petition.

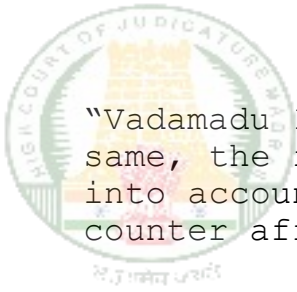
3. The learned Counsel appearing for the petitioner submitted that now the villagers have united together and are willing to conduct "Vadamadu Manju Virattu" event in a cordial manner.

4. In these circumstances, the respondents were directed to file counter affidavit as to the submission made by the learned Counsel appearing for the petitioner. Accordingly, the second respondent, Inspector of Police, Poolangurichi Police Station, filed a counter affidavit, wherein in paragraph No.8, he has stated that he went to Sullampatti Village and conducted inquiry with the entire village people regarding the resolution passed in the village for the conduct of "Vadamadu Manju Virattu" event and also found that the copy of the resolution and its content are true. Further he has stated that the dispute between the two groups were resolved by the elders of the village people and on their intervention, now they have decided to conduct the temple festival and "Vadamadu Manju Virattu" event amicably and peacefully. Further the second respondent has stated that since the event is going to be held on 26.01.2020, which is the date of Republic Day, it may not be possible to give adequate police protection for the event.

5. The learned Additional Government Pleader appearing for the respondents submitted that in the event of the petitioner giving a fresh date for the conduct of the event, it would be considered taking note of the averments stated in paragraph Nos.7, 8 and 9 of the counter affidavit.

6. The learned Counsel appearing for the petitioner, on instructions, submitted that "Vadamadu Manju Virattu" event would be conducted on 28.01.2020 and therefore appropriate permission may be granted.

7. In view of the submission made by the learned Counsel appearing on either side, the petitioner is directed to give a fresh representation to the respondents for grant of permission to conduct



"Vadamadu Manju Virattu" event on 28.01.2020 and on receipt of the same, the respondents shall consider the same and pass orders taking into account the averments stated in paragraph Nos.7, 8 and 9 of the counter affidavit of the second respondent.

8. With the above observations, the Writ Petition is disposed of.

Sd/-

Assistant Registrar(CS-III)

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/ /2020

Sub Assistant Registrar(CS)

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To

1.The Deputy Superintendent of Police,
Thirupathur Division,
Sivagangai District.

2.The Inspector of Police,
Poolangurichi Police Station,
Sivagangai District.

+1 CC to M/s.K.ARUNKUMAR, Advocate (SR-3089[F] dated 27/01/2020)

+1 CC to M/s.SPL.GP (SR-3124[F] dated 27/01/2020)

W.P(MD)No.1196 of 2020

24.01.2020

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