



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.05.2022

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.12097 of 2022

M.Chinnadurai

... Petitioner

Vs.

1.The Superintendent of Police,
Perambalur District.

2.The Inspector of Police,
Kunnam Police Station,
Perambalur District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to grant permission and police protection to conduct the cultural programme (Adal Padal Nigalchi) to be held on 09.05.2022 between 6.00 p.m., to 11.00 p.m., at Arulmigu Sri Mariamman Tirukovil situated at Mettukalingarayanallur Village, Kilperambalur Post, Perambalur District by considering the petitioner's representation dated 02.05.2022.

For Petitioner : Mr.N.Palanisamy

For Respondents: Mr.R.Murthi
Government Advocate (Crl.Side)

O R D E R

The relief sought for in this writ petition is to direct the respondents to grant permission and police protection to conduct the cultural programme (Adal Padal Nigalchi) to be held on 09.05.2022 between 6.00 p.m., to 11.00 p.m., at Arulmigu Sri Mariamman Tirukovil situated at Mettukalingarayanallur Village, Kilperambalur Post, Perambalur District by considering the petitioner's representation dated 02.05.2022.

2. It is seen that the festival is scheduled to be taken place on 09.05.2022. The petitioner has given representation to the 2nd respondent only on 02.05.2022 and subsequently, without



giving sufficient opportunity to the respondents to consider his representation, has filed this present petition before this Court on 04.05.2022.

3. The Court or the police official cannot pass orders automatically without following any procedures. If any representation is made before the police station, the Station House Officer has to make preliminary enquiry in the place where the festival is scheduled to be taken place as to whether any untoward incidents had taken place on earlier occasions and is there any possibility of communal clash or group clash likely would take place due to the conduct of the festival. Only after verifying the same and if the police authority is satisfied that no law and order problem would arise, permission could be granted for which, the petitioner has to give sufficient time to the Police to make preliminary enquiry and to pass orders. But without giving adequate time, the police officials are being pressurized and if anything happened in future, only the police officials would be answerable for the same. In view of the above and since, the petitioner has not given sufficient time to the respondents to consider the representation, this Court is not inclined to consider this Writ Petition.

4. Accordingly, the present Writ Petition is dismissed.
No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

ksa-2/ssi

To

1.The Superintendent of Police,
Perambalur District.

2.The Inspector of Police,
Kunnam Police Station,
Perambalur District.

+1cc to Mr.N.Palanisamy, Advocate SR.No.31119

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VBM(CO)
GMY(10/05/2022)