



BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

DATED: 22.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.7317 of 2022

R.Sarala Rajkumar

... Petitioner

Vs

1.The Superintendent of Police,
Sivagangai District,
Sivagangai.

2.The Deputy Superintendent of Police,
Sivagangai, Sivagangai District.

3.The Inspector of Police,
Salaigramam Police Station,
Sivagangai District.

4.M.Ramakrishnan

... Respondents

(R - 4 impleaded vide order dated 22.04.2022
made in W.M.P(MD)No.5970 of 2022)

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order dated 15.04.2022 passed by the third respondent and to quash the same and consequently, directing the third respondent to grant permission and necessary protection to conduct "Adal Padal" programme schedule to be held on 27.04.2022 in connection with the Temple festival of "Pookuzhi Festival" of Arulmighu Sri Maha Sathaiah Ayyanar Kovil situated at Sathanur Village and Panchayat, Ilaiyankudi Taluk, Sivagangai District.

For Petitioner : Mr.T.Veerakumar

For RR 1 to 3 : Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl. Side)

For R - 4 : Mr.S.Malaikani

ORDER

The petitioner has filed the present Writ Petition to quash the impugned order, dated 15.04.2022 passed by the third respondent and consequently, directing the third respondent to grant permission and



necessary protection to conduct "Adal Padal" programme schedule to be held on 27.04.2022 in connection with the Temple festival of "Pookuzhi Festival" of Arulmighu Sri Maha Sathaiah Ayyanar Kovil situated at Sathanur Village and Panchayat, Ilaiyankudi Taluk, Sivagangai District.

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2.The learned counsel appearing for the petitioner would submit that in their Village, every year the people used to celebrate "Pookuzhi Festival" and the above festival has been celebrated by time immemorial and this year also, the Village People planned to celebrate the said festival and the same is scheduled to be held on 27.04.2022. Hence, the petitioner sent a representation to the respondents 1 to 3 on 15.04.2022 seeking permission to conduct the said cultural programme, namely, "Adal Padal" in the eve of the said "Pookuzhi Festival" of Arulmigu Sri Maha Sathaiah Ayyanar Kovil. But, the third respondent has rejected the same. Challenging the impugned order, dated 15.04.2022 passed by the third respondent, the petitioner has filed the present Writ Petition.

3.The learned counsel appearing for the fourth respondent would submit that already the Village People formed Village Festival Committee to conduct "Adal Padal" programme schedule to be held on 27.04.2022 in connection with the Temple festival of "Pookuzhi Festival" of Arulmighu Sri Maha Sathaiah Ayyanar Kovil situated at Sathanur Village and Panchayat, Ilaiyankudi Taluk, Sivagangai District. That apart, the petitioner's second request was also rejected seeking permission to conduct 'Adal Padal' programme scheduled to be held on 27.04.2022. In fact, the Village Festival Committee members already permitted to conduct cultural programme namely "Karakattam" on 27.04.2022. However on 27.04.2022, there is no permission granted by the third respondent for the petitioner.

4.The learned counsel appearing for the fourth respondent would further submit that the petitioner is claiming first right in the festival of "Pookuzhi Festival" of Arulmighu Sri Maha Sathaiah Ayyanar Kovil situated at Sathanur Village and Panchayat, Ilaiyankudi Taluk, Sivagangai District.

5.Heard the learned counsel for the petitioner, the learned Additional Public Prosecutor (Criminal Side) appearing on behalf of the respondents 1 to 3 and the learned counsel appearing for the fourth respondent.

6.Considering the facts and circumstances of the case, the petitioner is directed to submit a fresh representation before the third respondent and on receipt of the same, the third respondent is directed to issue notice to the petitioner and the fourth respondent and after affording an opportunity of hearing to them, dispose of the same on or before 26.04.2022.



7. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(AD-II)

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// True Copy //

22/04/2022

Sub Assistant Registrar(CS)

ps

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1. The Superintendent of Police,
Sivagangai District,
Sivagangai.
2. The Deputy Superintendent of Police,
Sivagangai, Sivagangai District.
3. The Inspector of Police,
Salaigramam Police Station,
Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.C. MALAIKANI, Advocate (SR-20603[F] dated 22/04/2022)

+1 CC to M/s.T. VEERAKUMAR, Advocate (SR-20606[F] dated 22/04/2022)

Order made in
W. P (MD) No. 7317 of 2022
22.04.2022

SP(CO)
TR(22.04.2022) 3P 7C