



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)No.10724 of 2022

Thangamayan

...Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Thirumangalam Sub-Division,
Madurai District.

3.The Inspector of Police,
Austinpatti Police Station,
Thoppur Housing Board,
Madurai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order in Na.Ka.No.13/MIKE/D5-PS/2022 dated 30.05.2022 of the 3rd respondent and to quash the same and consequently directing the respondents to grant permission and necessary protection to conduct the Adal Padal on 09.06.2022 at 7.00 p.m to 11.00 P.M in connection with "Pongal Kuthirai Etuppu Thiru Vizha'' of Arulmigu Sutshma Ayyanar Kovil at Sakkilipatti Village, Thenpalanchi, Madurai.

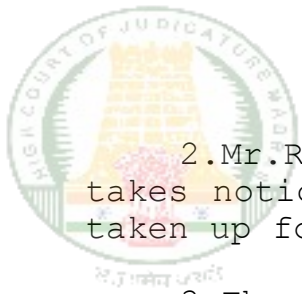
For Petitioner : Mr.P.Balamurugan

For Respondents : Mr.R.Suresh Kumar

Government Advocate (crl.side)

O R D E R

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order dated 30.05.2022 of the third respondent and to quash the rejected portion of the Aadal Padal on 09.06.2022 and consequently, to direct the respondents to grant permission and necessary protection to conduct the Aadal Padal alone on 09.06.2022 in connection with ''Pongal Kuthirai Etuppu Thiru Vizha'' of Arulmigu Sutshma Ayyanar Kovil at Sakkilipatti Village, Thenpalanchi, Madurai.



2.Mr.R.Sureshkumar, learned Government Advocate (Criminal Side) 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 petitioner submitted that temple festival, by name, Arulmigu Sutshma Ayyanar Kovil at Sakkilipatti Village, Thenpalanchi, Madurai, is going to be held on 09.06.2022. Subsequent to the same, in order to conduct a cultural programme, they sought permission of the police by giving a representation dated 28.05.2022. But the third respondent police has rejected the same. Challenging the same, the present writ petition has been filed the above said relief.

4.The learned Government Advocate (criminal side) appearing for the respondent police would submit that the third respondent police has rightly rejected the representation of the petitioner and hence, he prays for dismissal of this writ petition.

5. I have considered the submission of the learned counsel appearing for the petitioner and the learned Government Advocate (criminal side) appearing for the respondents police.

6.It is noted that the third 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. 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, the impugned order passed by the third respondent dated 30.05.2022 is hereby set aside.

8. The learned counsel for the petitioner is ready to give a fresh representation to conduct Aadal padal programme. If the petitioner gives a fresh representation, the third respondent is directed to consider the representation of the petitioner and pass suitable orders based on the above said circular.

With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

08/06/2022

Sub Assistant Registrar(CS)

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To

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

2.The Deputy Superintendent of Police,
Thirumangalam Sub-Division,
Madurai District.

3.The Inspector of Police,
Austinpatti Police Station,
Thoppur Housing Board,
Madurai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.P.BALAMURUGAN, Advocate (SR-24480[F]
dated 07/06/2022)

W.P(MD)No.10724 of 2022

07.06.2022

(CO)

GC(08.06.2022) 3P 6C