



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:09.06.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)No.11364 of 2022

Mallusamy C (Village Head)

... Petitioner

Vs

1. The Superintendent of Police,
Dindigul Street,
Dindigul.

2. The Inspector of Police,
Chinnalapatti Police Station,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus or any other appropriate writ, order or direction in the nature of writ, calling for the records relating to the impugned order passed by the 2nd respondent in his proceedings in C.No.22/CI OFF/Forcast/Amb/22 dated 30.05.2022 and quash the same and consequently directing the Respondents herein to grant permission for conducting on 13.06.2022 Aadalum Padalum at Kathirpatti, Ambadurai village, Dindigul District on the eve of Sri Selva Vinayakar, Sri Kaliyamman, Sri Bagavathyamman.

For Petitioner : Mr. Sarvagan Prabhu S.

For Respondent : Mr.R.Sureshkumar

Government Advocate (Crl.Side)

O R D E R

This writ petition has been filed seeking for issuance of a Writ of Certiorarified Mandamus or any other appropriate writ, order or direction in the nature of writ, calling for the records relating to the impugned order passed by the 2nd respondent in his proceedings in C.No.22/CI OFF/Forcast/Amb/22 dated 30.05.2022 and quash the same and consequently directing the Respondents herein to grant permission for conducting on 13.06.2022 Aadalum Padalum at Kathirpatti, Ambadurai village, Dindigul District on the eve of Sri Selva Vinayakar, Sri Kaliyamman, Sri Bagavathyamman.

2.The 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, Sri Selva Vinayakar, Sri Kaliyamman, Sri Bagavathyamma at Kathirpatti, Ambadurai village, Dindigul District, is going to be held on 13.06.2022. Subsequent to the same, in order to conduct a cultural programme, they sought permission of the police by giving a representation dated 30.05.2022. But the second 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 second 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 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. 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 second 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 second respondent is directed to consider the representation of the petitioner and pass suitable orders based on the above said circular.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

10/06/2022

Sub Assistant Registrar(CS)

PNM



To:

1. The Superintendent of Police,
Dindigul Street,
Dindigul.

2. The Inspector of Police,
Chinnalapatti Police Station,
Dindigul District.

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

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-24914[F] dated
09/06/2022)

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09.06.2022

RK(10.06.2022) 3P 5C