



W.P(MD)No.14630 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:08.07.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)No.14630 of 2022
and WMP(MD)No.10434 of 2022

Ponnan.V

... Petitioner

Vs

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

2. The Inspector of Police,,
Vaiyampatti Police Station,
Trichy District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order in Na.Ka.No. 124/F2PS/2022 dated 02.07.2022 passed by the 2nd respondent and quash the same as illegal and consequently direct the respondents to give necessary police protection and permit the petitioner to conduct the Adal Padal Program during on 10.07.2022 at 7.00 PM to 11.00 PM in pursuant to the Temple Festival of Arulmigu Sri Balakkattaiamman, Arulmigu Sri Thekkamalayan, Arulmigu Sri Thottichiamman, Arulmigu Sri Meesaikaran, Arulmigu Sri Balamurugan Temple situated at Kesavan



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Ambalakaranur, Kumaravadi Post, Manapparai Taluk, Trichy District.

For Petitioner : M/s Prabu.M,

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

ORDER

This Writ Petition has been filed by the writ petitioner, seeking for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order in Na.Ka.No.124/F2PS/2022 dated 02.07.2022 passed by the 2nd respondent and quash the same as illegal and consequently direct the respondents to give necessary police protection and permit the petitioner to conduct the Adal Padal Program during on 10.07.2022 at 7.00 PM to 11.00 PM in pursuant to the Temple Festival of Arulmigu Sri Balakkattaiamman, Arulmigu Sri Thekkamalayan, Arulmigu Sri Thottichiamman, Arulmigu Sri Meesaikaran, Arulmigu Sri Balamurugan Temple situated at Kesavan Ambalakaranur, Kumaravadi Post, Manapparai Taluk, Trichy District.



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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, Arulmigu Sri Balakkattaiamman, Arulmigu Sri Thekkamalayan, Arulmigu Sri Thottichiamman, Arulmigu Sri Meesaikaran, Arulmigu Sri Balamurugan Temple situated at Kesavan Ambalakaranur, Kumaravadi Post, Manapparai Taluk, Trichy District, is going to be held on 10.07.2022. Subsequent to the same, in order to conduct a cultural programme, they sought permission of the police by giving a representation dated 02.07.2022. 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.



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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 respondent police 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.



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9. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

08.07.2022

Index : Yes/No
Internet : Yes/ No
PNM

Note: Issue Order copy on 08.07.2022

To

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

2. The Inspector of Police,,
Vaiyampatti Police Station,
Trichy District.

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



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V.SIVAGNANAM, J

PNM

ORDER IN
W.P(MD)No.14630 of 2022

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