



W.P(MD)No.14810 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:11.07.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)No.14810 of 2022

Muthukumar

...Petitioner

Vs

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

2.The Sub-Inspector of Police,
Kulathur Police Station,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to grant permission and protection to conduct the “Aadalum Paadalum” dance programme on 13.07.2022 from 8.00 p.m. to 12.00 p.m. in pursuant to the Aani festival of “Arulmighu Bathrakaliamman Temple” in Kulathur Village, Vilathikulam Taluk, Thoothukudi District, by considering the petitioner's representation dated 30.06.2022.



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For Petitioner : Mr.C.Jeyaprakash

For Respondents : Mr.M.Sakthi Kumar,
Government Advocate,
(Criminal Side).

ORDER

This Writ Petition has been filed by the writ petitioner, seeking for issuance of a Writ of Mandamus, directing the respondents herein to grant permission and protection to conduct the “Aadalum Paadalum” dance programme on 13.07.2022 from 8.00 p.m. to 12.00 p.m. in pursuant to the Aani festival of “Arulmighu Bathrakaliamman Temple” in Kulathur Village, Vilathikulam Taluk, Thoothukudi District, by considering the petitioner's representation dated 30.06.2022.

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.



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3. The learned Government Advocate (criminal side) appearing for the respondent police submits that the respondents have rejected the representation of the petitioner on 10.07.2022. There are three groups of people and they already deferred themselves in conducting the temple festival and there is a possibility of law and order problem.

4. The learned counsel appearing for the petitioner submitted that Festival for the temple, by name, Arulmighu Bathrakaliamman Temple” in Kulathur Village, Vilathikulam Taluk, Thoothukudi District is going to be held on 13.07.2022. Subsequent to the same, in order to conduct a cultural programme, they sought permission of the police by giving a representation dated 30.06.2022. But, the respondents have rejected the said representation on the ground that there is a possibility of law and order problem. Now, the petitioner is ready to file an undertaking affidavit to ensure that there will be no law and order problem in the temple festival.



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5. The learned Government Advocate (Criminal Side) also accepted the contention of the petitioner and they are ready to consider the representation of the petitioner, on filing of an undertaking affidavit.

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

7. It is brought to the notice of this Court that the Director General of Police, Tamil Nadu, Chennai had issued a circular memorandum in Rc. 007301/Genl.I (1)/2019, dated 09.04.2019, along with instructions to the Inspectors of Police throughout Tamil Nadu for consideration of applications seeking permission for conducting cultural programme. Therefore, in view of the detailed circular and guidelines issued by the Director General of Police, the petitioner is hereby directed to file a fresh representation, with an undertaking affidavit and the respondents police is hereby directed to consider the representation of the petitioner on merits and pass suitable orders based on the above said circular.



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8. With the above direction, this writ petition stands disposed of.

No costs.

11.07.2022

Index :Yes/No

Internet : Yes/ No

Nsr

Note:Issue Order copy on 11.07.2022

To

- 1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
- 2.The Sub-Inspector of Police,
Kulathur Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J

Nsr

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