



W.P(MD)Nos.15498 and 15833 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)Nos.15498 and 15833 of 2022

W.P(MD)No.15498 of 2022

M.Karuppaiah

...Petitioner

Vs.

1.The Deputy Superintendent of Police,
Samayanallur Sub Division,
Madurai District.

2.The Inspector of Police,
Nagamalaipudukottai Police Station,
Madurai District.

3.Gandhi Rajan

4.Velayutham

5.Sivaji Rao

...Respondents

*(Respondent Nos.3 to 5 are impleaded vide order,
dated 01.08.2022 in WMP(MD)No.11412 of 2022
in W.P(MD)No.15498 of 2022)*



W.P(MD)Nos.15498 and 15833 of 2022

W.P(MD)No.15833 of 2022

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Sivaji Rao

...Petitioner

Vs.

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Superintendent of Police,
Madurai District,
Madurai.
- 3.The Deputy Superintendent of Police,
Samayanallur,
Madurai District.
- 4.The Revenue Divisional Officer,
Madurai,
Madurai District.
- 5.The Tahsildar,
Madurai West Taluk,
Madurai District.
- 6.The Inspector of Police,
Nagamalai Pudukottai Police Station,
Madurai District.
- 7.M.Karuppaiah

...Respondents

PRAYER in W.P(MD)No.15498 of 2022: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents to provide necessary permission



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and police protection to conduct the Arulmighu Kamatchiaman Thirukovil Temple festival scheduled to be held on 01.08.2022 to 10.08.2022 by the SC(Pallan) community people at Kamatchipuram Village, Madurai West Taluk, Madurai District on the basis of the earlier peace committee undertaking dated 21.07.2015 given by all the community people residing at Kamatchipuram Village before the 1st respondent and the representation of the petitioner, dated 12.07.2022.

For Petitioner : Mr.V.Thirumal

For Respondents : Mr.M.Sakthikumar
Government Advocate (crl.side)

PRAYER in W.P(MD)No.15833 of 2022: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certioraried Mandamus, to call for the entire records in relating to the impugned order passed by the 6th respondent, dated 16.07.2022 and to quash the same as illegal, consequently to direct the 6th respondent to grant appropriate permission and adequate police protection for conducting the Mulai Paari festival from 01.08.2022 to 10.08.2022 in Arulmighu Kamatchi Amman Temple situated in Kamatchipuram Village, Madurai West Taluk, Madurai District within the time limit that may be stipulated by this Court.

For Petitioners : Mr.M.S.Jeyakarthick

For Respondents : Mr.M.Sakthikumar
Government Advocate (crl.side)



W.P(MD)Nos.15498 and 15833 of 2022

COMMON ORDER

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W.P(MD)No.15498 of 2022 is filed seeking for issuance of a Writ of Mandamus to direct the respondents to provide necessary permission and police protection to conduct the Arulmighu Kamatchiaman Thirukovil Temple festival scheduled to be held on 01.08.2022 to 10.08.2022 by the SC(Pallan) community people at Kamatchipuram Village, Madurai West Taluk, Madurai District on the basis of the earlier peace committee undertaking dated 21.07.2015 given by all the community people residing at Kamatchipuram Village before the 1st respondent and the representation of the petitioner, dated 12.07.2022.

2. W.P(MD)No.15833 of 2022 is filed seeking for issuance of a Writ of Certiorarified Mandamus to call for the entire records relating to the impugned order passed by the 6th respondent, dated 16.07.2022, and quash the same as illegal and consequently, to direct the 6th respondent to grant appropriate permission and adequate police protection for conducting the Mulai Paari festival from 01.08.2022 to 10.08.2022 in Arulmighu Kamatchi Amman Temple situated in Kamatchipuram Village, Madurai West Taluk, Madurai District within the time limit that may be stipulated by this Court.



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3.Mr.M.Sakthikumar, learned Government Advocate (Criminal Side) takes notice for the respondents. By consent, these writ petitions are taken up for final disposal at the admission stage itself.

4.The learned counsel appearing for the petitioner in W.P(MD)No. 15498 of 2022 submitted that temple festival, by name, Arulmighu Kamatchi Amman Temple situated at Kamatchipuram Village, Madurai West Taluk, Madurai District is going to be held from 01.08.2022 to 10.08.2022. Subsequent to the same, in order to conduct a cultural programme, they sought permission of the police by giving a representation dated 12.07.2022. But the respondent police has not considered the said representation. Since no order was passed, the petitioner has come before this Court for the above said relief.

5.The learned counsel appearing for the petitioner in W.P(MD)No. 15833 of 2022 submitted that the petitioner gave a representation to the respondent police to grant permission for conducting 'Mulai Paari' festival from 01.08.2022 to 10.08.2022, which was rejected on the ground of law and order problem. Challenging the same, the present writ petition has been filed.



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6.The learned Government Advocate (Crl.side) appearing for the respondent police submitted that two groups sought for permission to conduct 'Mulai Paari' festival in the same temple and if the permission is granted, there will be law and order problem. Hence, he pleaded to dismiss the said petitions.

7. 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.

8. Now, both the petitioners and the representatives of the village members are present before this Court and they agreed to celebrate Arulmighu Kamatchi Amman Temple festival without any law and order problem and further with regard to 'Mulai Paari' festival, both the parties arrived at compromise that they are celebrating 'Mulai Paari' festival on 10.08.2022 from 3.00 p.m. to 8.00 p.m. It is represented by the petitioner in W.P(MD)No.15833 of 2022 that their community people (SC Pallan) have agreed to conduct 'Mulai Paari' festival from 06.00 p.m. to 09.00 p.m., on 10.08.2022. It is represented by the petitioner in W.P(MD)No. 15833 of 2022 their people have agreed to conduct 'Mulai Paari' festival from 03.00 p.m. to 06.00 p.m on 10.08.2022.



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9. In view of the above submission, the petitioners are directed to give undertaking affidavit as stated before this Court to the respondent police. On receipt of such undertakings, the Inspector of Police, Nagamalai Pudukottai Police Station, Madurai District is directed to give permission and necessary police protection, based on the circular issued by the Director General of Police, Tamil Nadu, Chennai in Rc. 007301/Genl.I (1)/2019 dated 09.04.2019, to conduct temple festival from 01.08.2022 to 10.08.2022 and 'Mulai Paari' festival on 10.08.2022 from 03.00 p.m. to 06.00 p.m for the people of the writ petitioner in W.P(MD)No.15833 of 2022 and from 06.00 p.m to 09.00 p.m for the people of the Writ Petitioner in W.P(MD)No.15498 of 2022. The impleaded respondents are permitted to participate in the temple festival.

10. With the above direction, these Writ Petitions are disposed of.

No costs.

01.08.2022

Index : Yes / No
Internet : Yes/ No
vsd

Note: Issue Order Copy on 02.08.2022



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To
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- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Superintendent of Police,
Madurai District,
Madurai.
- 3.The Deputy Superintendent of Police,
Samayanallur,
Madurai District.
- 4.The Revenue Divisional Officer,
Madurai,
Madurai District.
- 5.The Tahsildar,
Madurai West Taluk,
Madurai District.
- 6.The Inspector of Police,
Nagamalai Pudukottai Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM., J

vsd

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