



W.P(MD)No.16041 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)No.16041 of 2022

M.Murugan

...Petitioner

Vs.

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

2.The Inspector of Police,
All Women Police Station,
I/c Pudukkottai 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 Certiorarified Mandamus, to call for the records relating to the impugned order dated 10.07.2022 in Che.Mu.Aa.No.07/Pudukkottai Kaa.Ni/Thoodi/2022 by the second respondent and quash the same as illegal, consequently directing the respondents 1 & 2 to grant permission and protection for cultural dance program in Adal Padal on 31.08.2022 of Arulmigu Sri Sakthivinayagar Kovil situated at Yadavar Street, Pudukottai, Thoothukudi District.



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For Petitioner : Mr.R.Karthic Rajan
For Respondents : Mr.M.Sakthi Kumar
Government Advocate (crl.side)

ORDER

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 10.07.2022 in Che.Mu.Aa.No.07/Pudukkottai Kaa.Ni/Thoodi/2022 by the second respondent and quash the same as illegal, consequently directing the respondents 1 & 2 to grant permission and protection for cultural dance program in Adal Padal on 31.08.2022 of Arulmigu Sri Sakthivinayagar Kovil situated at Yadavar Street, Pudukottai, Thoothukudi District.

2.Mr.M.Sakthikumar, 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 Sakthivinayagar Kovil situated at



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Yadavar Street, Pudukottai, Thoothukudi District, is going to be held on 31.08.2022. Subsequent to the same, in order to conduct a cultural programme, they sought permission of the police by giving a representation dated 10.07.2022. But the second respondent has rejected the same. Challenging the same, the present writ petition has been filed for the above said relief.

4.The learned Government Advocate (Crl.side) appearing for the respondent police submitted that the place chosen by the petitioner for conducting cultural programme is a very small area and if the programme is permitted there will be law and order problem. He further submitted that if the petitioner chooses another place, the respondent police is ready to consider his representation.

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.The learned counsel appearing for the petitioner further submitted that the petitioner is also ready to choose another place for



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conducting the cultural programme and to give fresh representation to the respondent police.

7.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.

8. 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 10.07.2022 is hereby set aside.

9. In view of the above, the petitioner is at liberty to approach the second respondent to give a fresh representation and choose another place for conducting 'Aadal Padal' programme and on such representation is being made, the second respondent is directed to consider the same and pass suitable orders based on the above said circular.



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10. With the above direction, this writ petition is disposed of.

No costs.

25.07.2022

Index : Yes / No

Internet : Yes/ No

vsd

Note: Issue Order Copy on 26.07.2022

To

- 1.The Superintendent of Police,
Thoothukudi,
Thoothukudi District.
- 2.The Inspector of Police,
All Women Police Station,
I/c Pudukkottai Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

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