



W.P(MD)No.15964 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.07.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)No.15964 of 2022

J.Muthukaluvan

...Petitioner

Vs.

1.The Assistant Commissioner of Police,
Thiruparankundram,
Madurai City.

2.The Inspector of Police (L & O),
V1 Thiruparankundram Police Station,
Madurai.

...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 pertaining to the impugned order passed by the 2nd respondent in his proceedings in Na.Ka.No.47/Inspr/V1 TPKS/MC/2022, dated 19.07.2022 and quash the same as illegal, consequently, directing the respondents to grant permission and necessary protection to conduct the "Adal Padal" Programme on 23.07.2022 at 08.00 p.m. to 10.00 p.m. in connection with "Thiru Vizha" of Arulmigu Muneeswarar, Nagadevathai Thirukovil, Keela Theru, Middle Lane, Thiruparankundram, Madurai.

For Petitioner : Mr.R.Karthic Rajan

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



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ORDER

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This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 2nd respondent in his proceedings in Na.Ka.No.47/Inspr/V1 TPKS/MC/2022, dated 19.07.2022 and quash the same as illegal, consequently, directing the respondents to grant permission and necessary protection to conduct the "Adal Padal" Programme on 23.07.2022 at 08.00 p.m. to 10.00 p.m. in connection with "Thiru Vizha" of Arulmigu Muneeswarar, Nagadevathai Thirukovil, Keela Theru, Middle Lane, Thiruparankundram, Madurai.

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 Muneeswarar situated at Nagadevathai Thirukovil, Keela Theru, Middle Lane, Thiruparankundram, Madurai, is going to be held on 23.07.2022. Subsequent to the same, in order to conduct a cultural programme, they



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sought permission of the police by giving a representation dated 19.07.2022. But the second respondent has rejected the same. Challenging the same, the present writ petition has been filed the above said relief.

4.The learned Government Advocate (Crl.side) appearing for the respondent police submitted that the place chosen by the petitioner is a crowded area and if the programme is permitted there will be law and order problem. Hence, he pleaded to dismiss the said 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.The learned counsel appearing for the petitioner further submitted that previous year also, they are conducted the cultural programme without any law and order problem. Now, the petitioner is ready to choose any other place for conducting the cultural programme, as suggested by the police.



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7.It is noted that the first 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 19.07.2022 is hereby set aside.

9. In view of the above, if the petitioner is ready to give a fresh representation to conduct Aadal Padal programme mentioning any other place, the first respondent is directed to consider the representation of the petitioner and pass suitable orders based on the above said circular.

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

No costs.

21.07.2022

Index : Yes / No

Internet : Yes/ No

vsd

Note: Issue Order Copy on 21.07.2022



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To

- 1.The Assistant Commissioner of Police,
Thiruparankundram,
Madurai City.
- 2.The Inspector of Police (L & O),
V1 Thiruparnkundram Police Station,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
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V.SIVAGNANAM, J.

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