



W.P(MD)No.16467of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)No.16467of 2022

S.Venkatraman

...Petitioner

Vs.

1.The Deputy Superintendent of Police,
Periyakulam, Theni District

2.The Inspector of Police,
Devathanapatti Police Station,
Theni 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 C.No.18/DVP-PKM/2022 dated 18.07.2022 of the 2nd Respondent and to quash the same and consequently directing the respondents to grant permission and necessary protection to conduct the Adal Padal Programme on 02.08.2022 at 06.00 pm to 11.00 pm in connection with Thiru vizha of Arulmigu Sri Nellaiappar, Sri Kanthimathi Amman Sri Karuppaiahpillai Swamikal Sri Samuthayammal Sri Sastha Perumal at Silvarpatti, Periyakulam Taluk, Theni District



W.P(MD)No.16467of 2022

For Petitioner : Mr.V.Manikandan
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 calling for the records relating to the impugned order in C.No.18/DVP-PKM/2022 dated 18.07.2022 of the second respondent and to quash the same and consequently directing the respondents to grant permission and necessary protection to conduct the Adal Padal Programme on 02.08.2022 at 06.00 pm to 11.00 pm in connection with Thiru vizha of Arulmigu Sri Nellaiappar, Sri Kanthimathi Amman Sri Karuppaiahpillai Swamikal Sri Samuthayammal Sri Sastha Perumal at Silvarpatti, Periyakulam Taluk, Theni 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 there is a thiruvizha in the temple, by name, Arulmighu Sri Malikaiparai Karuppusamy temple situated at Arulmigu Sri Nellaiappar, Sri



W.P(MD)No.16467of 2022

Kanthimathi Amman Sri Karuppaiahpillai Swamikal Sri Samuthayammal Sri Sastha Perumal at Silvarpatti, Periyakulam Taluk, Theni District, is going to be held on 02.08.2022. Subsequent to the same, in order to conduct a cultural programme, they sought permission of the police by giving a representation dated 17.07.2022. But the second respondent has rejected the same without any valid reason. 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 respondent police rejected the petitioner's representation on the ground of law and order problem.

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.A perusal of impugned order, dated 18.07.2022 shows that the petitioner sought permission to conduct 'Adal Padal' cultural programme on 02.08.2022, which was rejected by the respondent police on the ground of law and order problem. According to the petitioner, they



W.P(MD)No.16467of 2022

regularly conducted 'Adal Padal' programme during the festival of Arulmigu Sri Nellaiappar, Sri Kanthimathi Amman Sri Karuppaiahpillai Swamikal Sri Samuthayammal Sri Sastha Perumal at Silvarpatti, Periyakulam Taluk, Theni District and the petitioner is ready to obey the conditions that may be imposed by the police officials and also gives an undertaking that they will not involve in any illegal activities and create law and order problem while conducting the programme.

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 18.07.2022 is hereby set aside.

9. In view of the above, the petitioner is at liberty to approach the second respondent and to give undertaking not to create any law and order problem and to follow covid-19 protocol while conducting the



W.P(MD)No.16467of 2022

programme. The second respondent is hereby directed to consider the fresh representation to be given by 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.

28.07.2022

Index : Yes / No
Internet : Yes/ No
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Note: Issue Order Copy on 29.07.2022

To

- 1.The Deputy Superintendent of Police,
Periyakulam, Theni District
- 2.The Inspector of Police,
Devathanapatti Police Station,
Theni District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P(MD)No.16467 of 2022

V.SIVAGNANAM, J.

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W.P(MD)No.16467 of 2022

28.07.2022