



W.P(MD)No.16778 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:28.07.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)No.16778 of 2022
and WMP(MD) No.12157 of 2022

P.Samiyath Thevar

...Petitioner

VS

1. The Superintendent of Police
Tenkasi District
2. The Deputy Superintendent of Police
Sankarankovil
Tirunelveli District
3. The Sub Inspector of Police
Chinnakovilangulam Police Station
Chinnakovilangulam
Tirunelveli 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 pertaining to the impugned order dated 25.07.2022 on the file of the 3rd Respondent and quash the same as illegal and further directing the Respondents to grant permission to conduct the Kodai Temple Festival by the people of Thangamaalpuram Village in Akkini Maalaiyamman Kovil situated at Maaviliyuthu Village, Sankarankovil Taluk, Tenkasi District from 02.08.2022 at 5 P.M. to



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03.08.2022 till 2 A.M

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For Petitioner : Mr.V.Kathirvelu
Senior Counsel
for Mr.K.Jeyamohan
For Respondents : Mr.M.Sakthi Kumar
Government Advocate(Crl.Side)

ORDER

This writ petitioner filed this Writ Petition to quash the impugned order dated 25.07.2022 passed by the third respondent and further direct respondents to grant permission to conduct the Kodai Temple Festival by the people of Thangamaalpuram Village in Akkini Maalaiyamman Kovil situated at Maaviliyuthu Village, Sankarankovil Taluk, Tenkasi District from 02.08.2022 at 5 P.M. to 03.08.2022 till 2 A.M

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.

3.The learned Senior Counsel appearing for the petitioner would submit that the permission was rejected by the third respondent on



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25.07.2022 on the ground that on 19.07.2022 at about 23.30 hrs there was a clash between people of Vallavaramapuram and Kurukalpatti in which one Pradeep who belongs to Kurukalpatti aged about 18 years died, for which a case came to be registered in Crime No.110 of 2022 for the offence under Sections 143,294(b), 323,302 of IPC.

4. The learned Government Advocate(Crl.Side) would submit that due to temple festival recently on 19.07.2022 this occurrence had taken place and the case has been registered. The respondent police anticipating there is law and order problem the petitioner is not permitted to conduct kodai temple festival.

5. During the course of argument it is found that the accused involved in a case in Crime No.110 of 2022 does not belong to Valaramanpuram Village. The petitioner is ready to file an affidavit that he will not indulge in any illegal activities.

6. In view of the same, the petitioner herein is directed to give a fresh representation along with undertaking affidavit to the third respondent seeking permission.



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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 third respondent police is hereby directed to consider the fresh representation of the petitioner along with affidavit and pass suitable orders based on the above said circular on or before 01.08.2022.

8. With the above direction, this writ petition is disposed of. No cost. Consequently connected miscellaneous petition is closed

28.07.2022

Index :Yes/No

Internet : Yes/ No

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Note:Issue Order copy on 28.07.2022



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To

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Tenkasi District
2. The Deputy Superintendent of Police
Sankarankovil
Tirunelveli District
3. The Sub Inspector of Police
Chinnakovilangulam Police Station
Chinnakovilangulam
Tirunelveli District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J

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