



W.P(MD)No.17264 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.08.2022

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD).No.17264 of 2022

and

W.M.P(MD)No.12598 of 2022

Rajagopal,

: Petitioner

Vs

1. The Superintendent of Police,
Tirunelveli District

2. The Sub Inspector of Police,
Vijayanarayanam Police Station,
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, to call for the records relating to Na.Ka.No.9/Se.Mu.AA/Ka.Uo.AA/Vijayanarayanam/2022 dated 30.07.2022 issued by the second respondent is illegal and quash the



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same and consequently directing the respondents to grant permission and give necessary protection to conducting the Adal Padal on 11.08.2022 at Sri Alagiya Mannar Rajagopal Swamy Festival at Vadakku Vijayanarayanam, Vijayanarayanam Tirunelveli District.

For Petitioner : M/s.Shanmuga Sundaram.R,

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 quash the order passed by the second respondent in Na.Ka.No.9/Se.Mu.AA/Ka.Uo.AA/Vijayanarayanam/2022, dated 30.07.2022 and consequently to direct the respondents to grant permission and give necessary protection to conducting Adal Padal program on 11.08.2022 at Sri Alagiya Mannar Rajagopal Swamy Festival at Vadakku Vijayanarayanam, Vijayanarayanam Tirunelveli District.



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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 counsel appearing for the petitioner submitted that temple festival, by name, Sri Alagiya Mannar Rajagopal Swamy Kovil at Vadakku Vijayanarayanam, Vijayanarayanam Tirunelveli District, is going to be held from 03.08.2022 to 11.08.2022. Subsequent to the same, in order to conduct a cultural programme on 11.08.2022, they sought permission of the police by giving a representation dated 30.07.2022. But the second respondent police has rejected the same. Further, he stated that the petitioner is ready to give an undertaking to conduct the event peacefully without creating any law and order problem.

4.The learned Government Advocate (criminal side) appearing for the respondent police would submit that the second respondent police has rightly rejected the representation of the petitioner. Further, he submitted that previously, four cases have been registered against the petitioner and others, for conducting Adal Padal Event in violation of the directions issued by the



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Court and hence, he prays for dismissal of this writ petition.

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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.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.

7.In view of the above, the petitioner may give a fresh representation with an undertaking that the village people will not use crackers and also not involve in any law and order problem in the said event. On receiving the same, the second respondent may consider it 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. Therefore, the impugned order passed by the respondent police dated 30.07.2022 is hereby set aside.



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8. With the above direction, this writ petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

03.08.2022

Index : Yes / No

Internet : Yes/ No

lr

Note: Issue order copy on 04.08.2022



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V.SIVAGNANAM, J.

lr

To

1. The Superintendent of Police,
Tirunelveli District
2. The Sub Inspector of Police,
Vijayanarayanam Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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