



W.P(MD)No.17980of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)No.17980 of 2022

Ravi

...Petitioner

Vs.

**1.The Deputy Superintendent of Police,
Sivagangai,
Sivagangai Distict.**

**2.The Sub Inspector of Police,
Madhagupatti Police Station,
Sivagangai 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 passed by the 2nd respondent dated 01.08.2022 in Na.Ka.No.60/C2 PS/SVG/2022 and quash the same and direct the 2nd respondent to grant permission and necessary protection to perform the cultural program (i.e.) Adal Padal on 11.08.2022 at 07.00 p.m. to 10.00 p.m in the evening of “Thiruvizha” at “Sri Maha Mariamman Amman Kovil” Palayavalavu, Paganeri, Sivagangai District.



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

ORDER

This writ petitioner challenged the order passed by the 2nd respondent, dated 01.08.2022 in Na.Ka.No.60/C2 PS/SVG/2022 and also seeking direction to the 2nd respondent to grant permission and necessary protection to perform the cultural program (i.e.) Adal Padal on 11.08.2022 at 07.00 p.m. to 10.00 p.m in the evening of “Thiruvizha” at “Sri Maha Mariamman Amman Kovil” Palayavalavu, Paganeri, Sivagangai 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, “Sri Maha Mariamman Amman Kovil” Palayavalavu, Paganeri, Sivagangai District, is going to be held on 11.08.2022. Subsequent to the same, in order to conduct a cultural programme, they sought permission of the police by giving a



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representation dated 01.08.2022. 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 temple festival is going on and 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 01.08.2022 in Na.Ka.No. 60/C2 PS/SVG/2022 shows that the petitioner sought permission to conduct 'Adal Padal' cultural programme on 11.08.2022, which was rejected by the respondent police on the ground of law and order problem. According to the petitioner, they regularly conducted 'Adal Padal' programme during the festival of “Sri Maha Mariamman Amman Kovil” Palayavalavu, Paganeri, Sivagangai District, and the petitioner is



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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 01.08.2022 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 while conducting the 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.



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

No costs.

10.08.2022

Index : Yes / No
Internet : Yes/ No
ksa

Note: Issue Order Copy on 11.08.2022

To

- 1.The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.
- 2.The Sub Inspector of Police,
Madhagupatti Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

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