



W.P(MD)No.18109 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.08.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)No.18109 of 2022

P.K.Chellapalam

...Petitioner

Vs.

1.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

2.The Deputy Superintendent of Police,
Sivakasi,
Virudhunagar District.

3.The Sub Inspector of Police,
Maraneri Police Station,
Virudhunagar 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 the impugned order passed by the 3rd respondent, dated 05.08.2022 and quash the same as illegal and consequently directing the respondents herein to grant permission and to provide police protection to conduct the "Aadalum Paadalum" dance programme on 12.08.2022 in pursuant to the "4th Day Thiruvizha" of "Sree Kaliyamman Thirukovil", situated at Periyapottalpatti, Aanaiyur Post, Sivakasi Taluk, Virudhunagar District, by considering the petitioner's representation, dated 05.08.2022.



W.P(MD)No.18109 of 2022

For Petitioner : Mr.S.M.Anantha Murugan
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 call for the records relating to the impugned order passed by the 3rd respondent, dated 05.08.2022 and quash the same as illegal, consequently, directing the respondents to grant permission and police protection to conduct the "Aadalum Paadalum" dance programme on 12.08.2022 in connection with the "4th Day Thiruvizha" of "Sree Kaliyamman Thirukovil", situated at Periyapottalpatti, Aanaiyur Post, Sivakasi Taluk, Virudhunagar District, by considering the petitioner's representation, dated 05.08.2022.

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 the petitioner gave a representation to the respondent police to grant



W.P(MD)No.18109 of 2022

permission for conducting "Aadalum Paadalum" programme on 12.08.2022, which was rejected by the third respondent on the ground that law and order problem may arise. Hence, the petitioner filed this petition to quash the proceedings of the third respondent and seeks permission to conduct the programme.

4.The learned Government Advocate (Crl.side) appearing for the respondent police submitted that there are two different groups sought for permission to conduct 'Adalum Paadalum' festival in the same temple and if the programme is granted, there will be a serious communal problem and also law and order problem would arise. Hence, he pleaded to dismiss this 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.A perusal of the impugned order, dated 05.08.2022 shows that the petitioner sought permission to conduct 'Adal Padal' cultural programme on 12.08.2022, which was rejected by the respondent police



W.P(MD)No.18109 of 2022

on the ground of communal problem and law and order problem would arise. According to the petitioner, he is ready to give an undertaking that they will not involve in any illegal activities while conducting the programme.

7.It is noted that the third 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 third respondent dated 05.08.2022 is hereby set aside.

9. In view of the above, the petitioner is at liberty to approach the third respondent and to give a fresh representation along with undertaking that he will not create any law and order problem while conducting the programme. The third 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. If they will involve in



W.P(MD)No.18109 of 2022

any illegal activities, the third respondent is directed to take legal action against them.

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

No costs.

11.08.2022

Index : Yes / No
Internet : Yes/ No
vsd

Note: Issue Order Copy on 11.08.2022

To

1. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
2. The Deputy Superintendent of Police,
Sivakasi,
Virudhunagar District.
3. The Sub Inspector of Police,
Maraneri Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P(MD)No.18109 of 2022

V.SIVAGNANAM, J.

vsd

W.P(MD)No.18109 of 2022



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W.P(MD)No.18109 of 2022

11.08.2022