



W.P(MD)No.19258 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.08.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)No.19258 of 2022

M.Meenakshi Sundaram Pillai

...Petitioner

Vs.

1. The Revenue Divisional Officer,
Manapparai,
Trichy District.

2. The Tahsildar,
Manapparai Taluk,
Trichy District.

3. The Inspector of Police,
Vaiyampatti Police Station,
Trichy District.

4. Sitharasan

5. Sundarraaj

7. Jeyaraman

8. Muthukrishnan

9. Muthuganesh

10. Maruthamughu

...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 third respondent in his proceedings in Na.Ka.No.158/F2PS/2022, dated



W.P(MD)No.19258 of 2022

31.07.2022 and quash the same as illegal, consequently directing the respondents 1 to 3 to permit the petitioner to conduct Aani Festival at Sri Vinayagar, Sri Bhagavathi Amman Temple, Inam Puduvadi, Manapparai Taluk, Trichy District from 28.08.2022 to 06.09.2022.

For Petitioner : Mr.T.Lenin Kumar
For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)
(for R1 to R3)

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the third respondent in his proceedings in Na.Ka.No.158/F2PS/2022, dated 31.07.2022 and quash the same as illegal, consequently, directing the respondents 1 to 3 to permit the petitioner to conduct Aani Festival at Sri Vinayagar, Sri Bhagavathi Amman Temple, Inam Puduvadi, Manapparai Taluk, Trichy District from 28.08.2022 to 06.09.2022.

2.Mr.M.Sakthi Kumar, learned Government Advocate (Criminal Side) takes notice for the respondents 1 to 3. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.



W.P(MD)No.19258 of 2022

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3. The learned counsel for the petitioner submitted that the petitioner's village people is decided to conduct the Aani festival for the temple of Sri Vinayagar, Sri Bhagavathi Amman situated at Inam Puduvadi, Manapparai Taluk, Trichy District from 28.08.2022 to 06.09.2022. In this regard, they gave a representation to the respondents and the same was rejected on 31.07.2022 by the impugned order, on the ground that there is law and order problem. Challenging the said impugned order, the present writ petition is filed for the above said relief.

4. The learned Government Advocate (criminal side) appearing for the respondent police has strongly opposed to grant permission.

5. A perusal of the impugned order, dated 31.07.2022 shows that the petitioner sought permission to conduct the Aani Festival from 28.08.2022 to 06.09.2022, which was rejected by the respondent police on the ground that law and order problem would arise.



W.P(MD)No.19258 of 2022

6.It is noted that the 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. 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 and temple festival. Therefore, in view of the detailed circular and guidelines 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 31.07.2022 is hereby set aside.

8. Accordingly, the third respondent is hereby directed to consider the representation dated 01.08.2022 given by the petitioner and pass suitable orders based on the above said circular. If they will involve in any illegal activities, the respondent police is directed to take legal action against them.



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W.P(MD)No.19258 of 2022

9. With the above direction, this writ petition is allowed. No costs.

25.08.2022

Index : Yes/No
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Note: Issue order copy on 26.08.2022

To

1. The Revenue Divisional Officer,
Manapparai,
Trichy District.
2. The Tahsildar,
Manapparai Taluk,
Trichy District.
3. The Inspector of Police,
Vaiyampatti Police Station,
Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P(MD)No.19258 of 2022

V.SIVAGNANAM., J

ebsi

W.P(MD)No.19258 of 2022

25.08.2022