



W.P(MD)No.19591 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.19591 of 2022

Periyasamy,

: Petitioner

Vs

1. The Superintendent of Police,
Sivagangai District, Sivagangai

2. The Inspector of Police,
Ilayangudi 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 rejection order passed by the second respondent Police in his proceedings in Na.Ka.No. 12 / கா.ஆ / சிவ.உ.கோ / சிவ / 2022 dated 19.08.2022 and quash the same as illegal and consequently direct the 2nd Respondent to grant necessary permission and provide adequate Police Protection for conducting the Aadal Padal function on 31.08.2022 at about 08.00 P.M. to 11.00 P.M., as part of annual temple festival of Vinayagar Chathurthi, at Vani Village, Ilayangudi Taluk, Sivagangai District, by considering the Petitioner's



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representation.

For Petitioner : Mr.Veerakumar .T,
For Respondents : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

ORDER

This writ petition has been filed in the nature of Certiorarified Mandamus, seeking to quash the representation impugned rejection order passed by the second respondent Police in his proceedings in Na.Ka.No. 12 / கா.ஆ / சிவ.உ.கோ / சிவ / 2022 dated 19.08.2022 and consequently direct the second respondent to grant necessary permission and provide adequate police protection for conducting the Aadal Padal function on 31.08.2022 at about 08.00 P.M. to 11.00 P.M., as part of annual temple festival of Vinayagar Chathurthi, at Vani Village, Ilayangudi Taluk, Sivagangai District, by considering the petitioner's representation.

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.



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3.The learned counsel appearing for the petitioner submitted that Vinayagar Chathurthi festival, at Vani Village, Ilayangudi Taluk, Sivagangai District, is going to be held on 31.08.2022. Subsequent to the same, in order to conduct a cultural programme, they sought permission of the police by giving a representation dated 19.08.2022. But the respondents had rejected the same. Challenging the same, the present writ petition has been filed the above said relief.

4.The learned Government Advocate (criminal side) appearing for the respondent police would submit that the respondents had rightly rejected the representation of the petitioner and hence, he prays for dismissal of this writ 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.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.



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7. 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 respondent police dated 19.08.2022 is hereby set aside.

8. The learned counsel for the petitioner is ready to give a fresh representation to conduct Aadal padal programme. If the petitioner gives a fresh representation, the second respondent is directed to consider the representation of the petitioner and pass suitable orders based on the above said circular.

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

25.08.2022

Index :Yes/No
Internet:Yes/No
lr

(Note:- Issue order copy on 29.08.2022)



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To

1. The Superintendent of Police,
Sivagangai District, Sivagangai
2. The Inspector of Police,
Ilayangudi 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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