



W.P(MD)No.20084 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2022

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

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A.Anbalagan

... Petitioner

Vs

1. The District Collector,
Thanjavur District,
Thanjavur.
2. The Revenue Divisional Officer,
Pattukkotai Taluk,
Thanjavur District.
3. The Superintendent of Police,
Thanjavur,
Thanjavur District.
4. The Inspector of Police,
Madhukkor Police Station,
Thanjavur 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 on the file of the fourth respondent's order in Na.Ka. No.20/G4 PS/2022 dated 27.07.2022 and quash the same and direct the respondents particularly the fourth respondent to give proper permission



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to conduct Vinayagar Chadhurthi festival on 30.08.2022 and procession on 02.09.2022 evening.

For Petitioner : Mr.R.Srinivasan,
For Respondents : Mr.Veera Kathiravan,
Additional Advocate General
assisted by M/s.B.Asha
Government Advocate (Crl. side)

ORDER

This Writ Petition is directed against the order passed by the fourth respondent in Na.Ka.No.20/G4 PS/2022 dated 27.07.2022.

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 Additional Advocate General appearing for the respondents would submit that three more groups have also applied for the same place to celebrate Vinayagar Chadhurthi.

4. The learned counsel appearing for the writ petitioner would submit that the Inspector of Police, Madhukkor Police Station, has



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assigned three reasons for rejecting the writ petitioner's application. But the said reasons cannot be considered as valid and acceptable reasons to sustain the impugned order.

5. In view of the above, the impugned order in Na.Ka.No.20/G4 PS/2022 dated 27.07.2022 passed by the fourth respondent is set aside. Accordingly, this Writ Petition is disposed of, directing the second respondent/Revenue Divisional Officer, Pattukkotai Taluk, Thanjavur, to grant permission and police protection to the writ petitioner to install Vinayagar Idols on the occasion of Vinayagar Chathurthi Vizha on 31.08.2022 at the place specified and to immerse the same in the nearby water bodies as per the Government order in G.O.(Ms)No.598, Public (Law & Order-B) Department, dated 09.08.2018 and also subject to the following conditions :-

(a) There should not be any kind of obscene dance or vulgar dialogues during the festival, by anyone of the participants;

(b) No dance or songs, touching upon any political party or religion, community or caste be played;



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(c) No flex boards in support of any political party or religious leader be erected;

(d) The function should not affect either religious or communal harmony and shall be conducted without any discrimination based on caste;

(e) If there is any violation of any one of the conditions imposed, the concerned Police Officer is at liberty to take necessary action, as per law and stop such festival;

(f) the participants of the festival shall not intake any kind of toxic substance or liquor during the festival;

(g) If there is any untoward incident took place, the writ petitioner and the organizers of the festival may be made responsible for the same; and

(h) The organizers shall not cause any hindrance to general public or transport in any manner.

Further, the second respondent/Revenue Divisional Officer, Pattukkotai Taluk, Thanjavur, is directed to issue necessary permission, incorporating with the above conditions and the other conditions deem fit



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and proper for ensuring the peaceful and smooth conduct of the event.

There shall be no order as to costs.

30.08.2022

Index :Yes/No

Internet : Yes/ No

csm

Note:Issue Order copy today (30.08.2022)

To

1. The District Collector,
Thanjavur District,
Thanjavur.
2. The Revenue Divisional Officer,
Pattukkottai Taluk,
Thanjavur District.
3. The Superintendent of Police,
Thanjavur,
Thanjavur District.
4. The Inspector of Police,
Madhukkor Police Station,
Thanjavur District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

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