



W.P(MD)No.20476 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2022

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.20476 of 2022

P.Krishnasamy

... Petitioner

Vs

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

**2.The Deputy Superintendent of Police,
Aruppukottai,
Virudhunagar District.**

**3. The Inspector of Police,
Pandalgudi Police Station,
Virudhunagar District.**

**4. The Sub-Inspector of Police,
Pandalgudi 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 entire records pertaining to the impugned order issued by the 4th respondent dated 26.08.2022 and quash the same and consequently direct the respondents to grant permission for Vinayagar Chaturthi Festival by installation of Idol of lord Vinayagar at Kalliamman Kovil



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backside, Pandalgudi, Virudhunagar District and to have a ceremony of procession as scheduled between 31.08.2022 and 02.09.2022.

For Petitioner : Mr.R.Anand,
For Respondents : Mr.Veerakathiravan,
Additional Advocate General,
Asst.by
Mr.A.Albert James,
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 entire records pertaining to the impugned order issued by the 4th respondent dated 26.08.2022 and quash the same and consequently direct the respondents to grant permission for Vinayagar Chaturthi Festival by installation of Idol of lord Vinayagar at Kalliamman Kovil backside, Pandalgudi, Virudhunagar District and to have a ceremony of procession as scheduled between 31.08.2022 and 02.09.2022.

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.



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3. When the matter is taken up for hearing today, the learned Additional Advocate General would submit that both the parties are having previous cases and pending serious dispute between the them.

4. The learned counsel for the petitioner would submit that they are ready to install the idol in different place.

5. At the time, the learned Additional Advocate General would submit that they may be permitted to install the idol, except Chettiyar street.

6. Accordingly, the petitioner has filed an affidavit stating that they may be permitted to place the idol, at Old D.No.1260, New D.No. 12/2807, Lingapuram Street, Pandhalkudi, Virudhunagar District.

7. At that time, the learned Additional Advocate General would submit that the said place is also situated in Chettiyar Street.



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8. At this juncture, the learned counsel appearing for the petitioner would submit that they will file a fresh application mentioning the date, and place and that the 3rd respondent may be directed to grant permission.

9. Considering the same, the impugned order passed by the 4th respondent is hereby set aside. The petitioner is directed to give a fresh representation to the third respondent and the concerned Authority is directed to consider the same and pass order by imposing conditions as per the guidelines specified in the Government Order in G.O.(Ms) No.598, Public (Law & Order-B) Department, dated 09.08.2018.

10. With the above direction, this writ petition is disposed of. No cost.

30.08.2022

Index :Yes/No
Internet : Yes/ No
ksa

Note:Issue Order copy today (01.09.2022)



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To

1. The Superintendent of Police,
Virudhunagar District.
2. The Deputy Superintendent of Police,
Aruppukottai,
Virudhunagar District.
3. The Inspector of Police,
Pandalgudi Police Station,
Virudhunagar District.
4. The Sub-Inspector of Police,
Pandalgudi Police Station,
Virudhunagar 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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