



WP(MD)No.23489 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.10.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

W.P.(MD)No.23489 of 2022

Eswaran

... Petitioner

/vs./

1.The District Collector
Theni District

2. The Tahsildhar
Uthamapalayam Taluk

3. The Superintendent of Police
Theni District, Theni

4.The Sub Inspector of Police
Cumbum North Police Station
Theni District, Theni

... Respondents

(R1 and R2 are *suo motu* impleaded vide order of this Court, dated 12.10.2022 and the original respondents are re-arranged accordingly)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the fourth Respondent to grant appropriate permission and adequate police protection to conduct the Adal Padal functions for the above Arulmigu Sri Annapuram Karuppasamy Kovil festival on



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14.10.2022 at about 7.00 pm based on the Petitioner's representation dated 07.10.2022 .

For Petitioner : Mr.S.Vidhya Sagar
For Respondents : Mr.R.Sivakumar
Government Advocate(Crl.Side)

ORDER

The Petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the Respondents to give permission to conduct Adal Padal program in connection with Arulmigu Sri Annapuram Karuppasamy Kovil temple festival at Cumbum.

2.The learned Government Advocate(Crl.Side) takes notice for the Respondents. By consent, the Writ Petition itself is taken up for final disposal.

3.Heard the learned Counsel for the Petitioner and the learned Government Advocate(Crl.Side) appearing for the Respondents.



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4. The learned Counsel appearing for the Petitioner would submit that as the aforesaid festival is celebrated in a peaceful manner by the villagers, there will be no untoward incident on account of this celebration.

5. The learned Government Advocate(Crl.Side) appearing for the Respondents objected to consider the petition stating in the previous year during the course of temple festival there was group clash, therefore the representation of Petitioner was not considered.

6. The learned Counsel for the Petitioner by way of rejoinder submitted that previously there have been two groups and now both the groups joined together and gave representation.

7. Considering the submission of the learned Counsel for the Petitioner and the objection of the learned Government Advocate(Crl.Side), the District Collector, Theni District and the Tahsildhar, Uthamapalayam Taluk are *suo motu* impleaded as Respondents 1 and 2, considering the subject matter of the adjudication.



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8. The learned Counsel for the Petitioner submitted that both the parties will appear before the fourth Respondent today.

9. In the light of the above, the second Respondent is directed to convene meeting with the rival groups and if they do not arrive at amicable settlement and there is rivalry, the District Collector in consultation with the Superintendent of Police, Theni District and the Inspector of Police, Cumbum North Police Station shall pass appropriate orders.

10. With the above direction, the Writ Petition is disposed of. No costs.

12.10.2022

Index : Yes / No

Internet : Yes / No

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Note: Issue Order Copy on 12.10.2022.



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3. The Superintendent of Police
Theni District, Theni
- 4.The Sub Inspector of Police
Cumbum North Police Station
Theni District, Theni
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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