



W.P(MD)No.27958 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.27958 of 2022

T.Justus

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Colachel,
Kanyakumari District.

2.The Inspector of Police,
Nithiravilai Police Station,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to give permission to conduct petitioner's Mankadu Christian Association's 5th Annual Christmas festival and other programmes scheduled in the invitation for three days (i.e.,) from 23.12.2022 to 25.12.2022 situated in petitioner's festival place at Stephen compound, Aasarivilangam, St. Mankadu Post, Killiyoor Taluk, Kanyakumari District based on the petitioner's representation dated 19.11.2022.



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For Petitioner : M/s.M.Punitha Deva Kumar
For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

The writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the second respondent to give permission to conduct Mankadu Christian Association's 5th Annual Christmas festival and other programmes scheduled in the invitation for three days (i.e.,) from 23.12.2022 to 25.12.2022 situated at Stephen compound, Aasarivilangam, St. Mankadu Post, Killiyoor Taluk, Kanyakumari District based on the petitioner's representation dated 19.11.2022.

2. Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The learned counsel appearing for the writ petitioner submitted that 5th Annual Christmas festival for the association, by name, “Mankadu Christian Association” situated at Stephen compound, Aasarivilangam, St. Mankadu Post, Killiyoor Taluk, Kanyakumari District, is going to be held from 23.12.2022 to 25.12.2022. Subsequent



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to the same, in order to conduct programme from 23.12.2022 to 25.12.2022, they sought permission of the police by giving a representation dated 19.11.2022. But, the second respondent has not considered the said representation. Since no order was passed, the writ petitioner has come before this Court for the above said relief.

4. The learned Additional Public Prosecutor appearing for the respondents would submit that the second respondent has received the representation of the writ petitioner and the same is pending for consideration. He would further submit that they may be permitted to conduct the programme from 09.00 a.m. to 07.00 p.m. only for two days i.e., 23.12.2022 and 24.12.2022.

5. At this juncture, the learned counsel appearing for the writ petitioner would submit that they are ready to conduct the programme for two days as stated by the learned Additional Public Prosecutor.

6. I have considered the submission of the learned counsel appearing for the writ petitioner and the learned Additional Public Prosecutor appearing for the respondents.



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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 programme. Therefore, in view of the detailed circular and guidelines issued by the Director General of Police, the writ petitioner is directed to file an undertaking affidavit incorporating the date and time of the programme before the second respondent police and on such filing, the second respondent police is hereby directed to consider the representation of the writ petitioner, dated 19.11.2022 and pass suitable orders based on the above said circular.

8. With the above direction, this writ petition stands disposed of.

No costs.

13.12.2022

Index :Yes/No

Internet : Yes/ No
csm

***Note : Issue order copy on
or before 19.12.2022***



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To

- 1.The Deputy Superintendent of Police,
Colachel,
Kanyakumari District.
- 2.The Inspector of Police,
Nithiravilai Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

csn

Order made in
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13.12.2022