



W.P.No.16333 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **25.05.2023**

CORAM:

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

W.P.No.16333 of 2023

and

W.M.P.No.15712 of 2023

Musthafa.A

... Petitioner

/vs./

1. The District Collector,
District Collectorate Office,
Cuddalore District.
2. The Revenue Divisional Officer,
Virudhachalam, Cuddalore District.
3. The Thasildhar, Thittakudi,
Cuddalore District.
4. The Inspector of Police,
Ramanandham Police Station,
Thittakudi Taluk, Cuddalore District.
5. The Chief Executive Officer,
Tamilnadu Wakf Board, Chennai-1.



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6. The Superintendent of Wakf,
Tamilnadu Wakf Board, Cuddalore District.

7. The Inspector of Wakfs,
Tamilnadu Wakf Board, Panruti,
Cuddalore District .

8. Burhanuddin ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records of 3rd respondent vide in Na.Ka.No.A3/1655/23 dated 20.05.2023 and quash the same as illegal and also direct the 4th respondent to provide adequate protection for conducting URS Festival (Dharga Kanthoori URS festival) which is to be held on 28/05/2023 and 29/05/2023 and pass orders.

For Petitioner	:	Mr.S. Gunasekaran
For Respondents 1 to 4 and R6, R7	:	Mr.V.J.Priyadarsana Government Advocate (Crl.Side)

ORDER

The Petitioner has filed the above Writ Petition to issue a Certiorarified Mandamus to call for the records of 3rd respondent vide in Na.Ka.No.A3/1655/23 dated 20.05.2023 and quash the same as illegal and also direct the 4th respondent



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to provide adequate protection for conducting URS Festival (Dharga Kanthoori URS festival) which is to be held on 28/05/2023 and 29/05/2023

2.The learned Government Advocate (Crl.Side) takes notice for the respondent. **In the light of the limited nature of the relief this Court proposes to take up** the Writ Petition for final disposal **without ordering notice to respondents 5 to 8.**

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

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 official respondents, on instructions, would submit that the permission sought for by the



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Petitioner may be granted with appropriate and stringent conditions for maintaining law and order and also avoiding any untoward incident during performance of such programme. He would also submit that no previous case is pending against the Petitioner.

6. In view of the above, the impugned order passed by the third respondent cannot be sustained and it is liable to be set aside.

7. Accordingly, the impugned order dated 20.05.2023 passed by the third respondent is quashed. The writ petition is allowed. Further, considering the above facts and circumstances of the case, the following directions are issued to the fourth respondent to accord permission and police protection to conduct the Religious programme in connection with the above URS Festival (Dharga Kanthoori) on 28.05.2023 between 6.00 p.m., to 11.00 p.m., and on 29.05.2023 between 5.00 a.m., to 10.00 a.m., by incorporating the following conditions:



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

b) The programme shall be conducted without showing any discrimination based on community etc., and it shall be ensured that it is towards promoting communal harmony;

c) In respect of untoward incident occurring, the organizers of the programme will be responsible for the same; and

d) If there is any violation of any of the conditions imposed, the Station House Officer of the Police Station concerned is at liberty to take necessary action, as per law and stop such performance.

Consequently the connected miscellaneous petition is closed. The web copy can be utilized for the purpose of execution of the Order.

No costs.

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Index : Yes / No
Internet : Yes / No
smn/vv



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6. The Superintendent of Wakf,
Tamilnadu Walk Board, Cuddalore District.
7. The Inspector of Wakfs,
Taminadu Wakf Board, Panruti,
Cuddalore District
8. The Public Prosecutor,
High Court, Madras.



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SATHI KUMAR SUKUMARA KURUP, J.

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