



W.P.No.17499 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.17499 of 2023

R.Thirupathi

...Petitioner

Vs.

The Inspector of Police,
Bargur Police Station,
Bargur Taluk,
Krishnagiri District – 635 104.

...Respondent

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned proceeding dated 07.06.2023 from the file of the respondent, quash the same and further direct the respondent to consider the petitioner's representation dated 06.06.2023 for seeking police protection and to grant permission to conduct the cultural programme of Adal Padal on 14.06.2023 at 06.00 p.m. to 11.00 p.m. at “Sri Mariamman Temple Festival” Venkatapuram Village, Mallapadi Post, Bargur Taluk, Krishnagiri District.

For Petitioner : Mr.S.Mayilnathan

For Respondent : Mr.Leonard Arul Joshph Selvam
Government Advocate (Crl.Side)



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ORDER

The Writ Petition has been filed for calling for the entire records relating to the impugned proceeding dated 07.06.2023 from the file of the respondent, quash the same and further direct the respondent to consider the petitioner's representation dated 06.06.2023 for seeking police protection and to grant permission to conduct the cultural programme of Adal Padal on 14.06.2023 at 06.00 p.m. to 11.00 p.m. at “Sri Mariamman Temple Festival” Venkatapuram Village, Mallapadi Post, Bargur Taluk, Krishnagiri District.

2. Learned counsel for the petitioner submitted that, petitioner submitted a representation dated 06.06.2023 seeking permission to conduct Adal Padal programme during temple festival on 14.06.2023 at 06.00 p.m. to 11.00 p.m. at “Sri Mariamman Temple Festival” Venkatapuram Village, Mallapadi Post, Bargur Taluk, Krishnagiri District. This representation was rejected by the Sub-Inspector of Police, Bargur Police Station, Krishnagiri District, without giving any reasons on 07.06.2023. Therefore, this petition is filed challenging the order passed by the Sub-Inspector of Police, Bargur Police Station, Krishnagiri District on 07.06.2023 and for giving permission for conducting Adal Padal programme on 14.06.2023.

3. Learned Government Advocate (Criminal side) submitted that,



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police expected that some law and order problem may arise and therefore, permission was rejected to conduct Adal Padal programme during temple festival on 14.06.2023 at “Sri Mariamman Temple Festival” Venkatapuram Village, Mallapadi Post, Bargur Taluk, Krishnagiri District.

4. Considered the rival submissions and perused the records.

5. From the materials produced before this Court, it can be gathered that, petitioner submitted his representation dated 06.06.2023 for conducting Adal Padal programme during temple festival on 14.06.2023 at “Sri Mariamman Temple Festival” Venkatapuram Village, Mallapadi Post, Bargur Taluk, Krishnagiri District. This representation was rejected by the Sub-Inspector of Police, Bargur Police Station, Krishnagiri District, with a bald reason that, there may be a possibility of law and order issue cropping up. However, this apprehension is not supported by any material like how the law and order issue will crop up. It is the submission of the learned counsel for the petitioner that, Adal Padal programme is being conducted for the last 10 years during the temple festival at “Sri Mariamman Temple Festival” Venkatapuram Village, Mallapadi Post, Bargur Taluk, Krishnagiri



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District and so far, no law and order issue had ever come up.

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6. In view of the submissions made and the fact that, the order dated 07.06.2023, rejecting the permission to conduct Adal Padal during temple festival is not a reasoned order, this Court set asides the order dated 07.06.2023 passed by the Sub-Inspector of Police, Bargur Police Station, Krishnagiri District. The respondent is directed to consider the petitioner's representation dated 06.06.2023 afresh and pass positive order, giving permission for conducting Adal Padal programme during temple festival on 14.06.2023 at “Sri Mariamman Temple Festival” Venkatapuram Village, Mallapadi Post, Bargur Taluk, Krishnagiri District with necessary conditions.

7. With the above directions, this Writ Petition is disposed of. No costs.

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Index :Yes/No

Internet :Yes/No

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Note: Issue order copy on 13.06.2023.



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To

- 1.The Inspector of Police,
Bargur Police Station,
Bargur Taluk,
Krishnagiri District – 635 104.
- 2.The Public Prosecutor,
High Court of Madras.

G.CHANDRASEKHARAN, J.



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