



W.P.No.18487 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.18487 of 2023

A.P.Vijayabalan

...Petitioner

Vs.

The Inspector of Police,
Thiruthuraipoondi Police Station,
Thiruthuraipoondi Taluk,
Tiruvarur District.

...Respondent

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus, to call for the records of the respondent in Na.Ka.No.161/KA/KA.AA/T.Poondi/2023 dated 16.06.2023 and quash the same and consequently directing the respondent to grant permission and police protection to conduct cultural programme (Adal Padal Nigalchi) in the event of Manali Sathankudi Arulmigu Sree Kannayiramoorthi and Ayyanar Temple Festival at Thiruthuraipoondi taluk Tiruvarur District on 24.06.2023 between 06.00PM and 11.00PM.

For Petitioner : Mr.A.Sathishkumar

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 records of the respondent in Na.Ka.No.161/KA/KA.AA/T.Poondi/2023 dated 16.06.2023 and quash the same and consequently directing the respondent to grant permission and police protection to conduct cultural programme (Adal Padal Nigalchi) in the event of Manali Sathankudi Arulmigu Sree Kannayiramoorthis and Ayyanar Temple Festival at Thiruthuraipoondi taluk Tiruvarur District on 24.06.2023 between 06.00PM and 11.00PM.

2. Learned counsel for the petitioner submitted that, petitioner submitted a representation dated 14.06.2023 seeking permission to conduct Adal Padal programme during temple festival on 24.06.2023 at 06.00 p.m. to 11.00 p.m. at Manali Sathankudi Arulmigu Sree Kannayiramoorthis and Ayyanar Temple Festival at Thiruthuraipoondi taluk Tiruvarur District. This representation was rejected by the respondent on 16.06.2023, for the reasons that, youths are indulging in violence, Adal Padal is not a cultural event and there is a possibility of law and order issue to crop up. Therefore, this petition is filed challenging the order passed by the respondent on 16.06.2023 and for giving permission for conducting Adal Padal programme on 24.06.2023.



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WEB COP 3. Learned Government Advocate (Criminal side) submitted that, police expected that some law and order problem may arise and therefore, permission was rejected to conduct Adal Padal programme during temple festival on 24.06.2023 at Manali Sathankudi Arulmigu Sree Kannayiramoorthi and Ayyanar Temple Festival at Thiruthuraipoondi taluk Tiruvarur District

4. Considered the rival submissions and perused the records.

5. From the materials produced before this Court, it can be gathered that, petitioner's representation dated 14.06.2023 for conducting Adal Padal programme during temple festival on 24.06.2023 at Manali Sathankudi Arulmigu Sree Kannayiramoorthi and Ayyanar Temple Festival at Thiruthuraipoondi taluk Tiruvarur District was rejected by the respondent, for the reason that aforesaid. However, this reason is not supported by any material. On the mere apprehension that youth would disturb the event under the influence of alcohol and that law and order problem may come up, without supporting material, rejection order passed cannot be appreciated.



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6. In view of the fact that, the order dated 16.06.2023, rejecting the permission to conduct Adal Padal during temple festival is not a reasoned order supported by material supporting the reasons, this Court set asides the order dated 16.06.2023 passed by the respondent. The respondent is directed to consider the petitioner's representation dated 14.06.2023 afresh and pass positive order, giving permission for conducting Adal Padal programme during temple festival on 24.06.2023 at Manali Sathankudi Arulmigu Sree Kannayiramoorathi and Ayyanar Temple Festival at Thiruthuraipoondi taluk Tiruvarur District with necessary conditions mentioned in the Circular Memorandum issued by Director General of Police, Tamil Nadu, Chennai, in Rc.007301/Genl.I(1)/2019, dated 09.04.2019 and Rc.03316/General.I(1)/2023, dated 01.06.2023.

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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To

- 1.The Inspector of Police,
Thiruthuraipoondi Police Station,
Thiruthuraipoondi Taluk,
Tiruvarur District.
- 2.The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN, J.

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