



WEB COPY



W.P.No.18821 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.CHANDRASEKHARAN**

W.P.No.18821 of 2023

K.Mahalingam

...Petitioner

Vs.

1. The Inspector of Police,
E-5, Kovathur Police Station,
Chengalpattu District.

2. The Inspector of Police,
E-4, Kalpakkam Police Station (Circle),
Chengalpattu District.

...Respondents

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 second respondent dated 21.06.2023 and quash the same and consequently directing the respondents to grant permission and police protection to conduct Cultural programme (Adal Padal Nigalchi) in the event of Paraman Keni Kuppam Arulmigu Sree Vinayagar, Gengaiyamman, Uthukattamman & Periyapalayathamman Temple Festival at Seiyur Taluk, Chengalpattu District on 27.06.2023 between 06.00 PM and 11.00PM.

For Petitioner : Mr.A.Sathishkumar

For Respondents : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)



W.P.No.18821 of 2023

ORDER

This Writ Petition has been filed calling for the records of the second respondent dated 21.06.2023 and quash the same and consequently directing the respondents to grant permission and police protection to conduct Cultural programme (Adal Padal Nigalchi) in the event of Paraman Keni Kuppam Arulmigu Sree Vinayagar, Gengaiyamman, Uthukattamman & Periyapalayathamman Temple Festival at Seiyur Taluk, Chengalpattu District on 27.06.2023 between 06.00 PM and 11.00PM.

2. The learned counsel for the petitioner submitted that the petitioner submitted a representation to the Inspector of Police, E-5, Kovathur Police Station, ECR, 603 305, seeking permission for organizing Adal Padal event of Paraman Keni Kuppam Arulmigu Sree Vinayagar, Gengaiyamman, Uthukattamman & Periyapalayathamman Temple Festival at Seiyur Taluk, Chengalpattu District on 27.06.2023. The said representation was rejected stating that if the Adal Padal event is organized that would create law and order problem. It is his further submission that the petitioner is conducting Adal Padal event during the temple festival for the past two decades. So far, no law and order problem was reported. Thus, this petition.



W.P.No.18821 of 2023

3. The learned Government Advocate (Criminal side) submitted that the permission was rejected on the ground of expecting law and order problem, if the Adal Padal event is conducted.

4. Considered the rival submissions and perused the records.

5. It is seen from the submission of the learned counsel for the petitioner that the Adal Padal event is conducted during the temple festival of Paraman Keni Kuppam Arulmigu Sree Vinayagar, Gengaiyamman, Uthukattamman & Periyapalayathamman Temple at Seiyur Taluk, Chengalpattu District, for the past two decades and so far no law and order problem is reported. It appears no criminal case has been registered in connection with law and order problem during the temple festival in past years. Therefore, on the mere apprehension that if the permission is granted for conducting Adal Padal event, it would create law and order issue, is not a ground for rejecting the permission, without any substantiating material. No substantiating material is available to justify the respondent's apprehension. Therefore, the order dated 21.06.2023 passed by the first respondent is hereby set aside. The respondents are directed to give permission for conducting Adal Padal event of Paraman Keni Kuppam Arulmigu Sree Vinayagar, Gengaiyamman, Uthukattamman &



W.P.No.18821 of 2023

Periyapalayathamman Temple Festival at Seiyur Taluk, Chengalpattu District,

between 06.00 pm and 11.00 pm, 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.

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

23.06.2023

Index :Yes/No

Internet :Yes/No

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Note: Issue order copy on 26.06.2023

To



W.P.No.18821 of 2023

1. The Inspector of Police,
E-5, Kovathur Police Station,
Chengalpattu District.
2. The Inspector of Police,
E-4, Kalpakkam Police Station (Circle),
Chengalpattu District.
3. The Public Prosecutor,
High Court of Madras.

G.CHANDRASEKHARAN, J.



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W.P.No.18821 of 2023

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W.P.No.18821 of 2023

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