



W.P.No.36162 of 2023
& W.M.P.No.36127 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.12.2023

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.36162 of 2023
& W.M.P.No.36127 of 2023

Prakash

... Petitioner

/versus/

1. The Deputy Superintendent of Police,
District Office, Paneerselvam Park,
Erode District.

2. The Inspector of Police,
Kavunthampadi Police Station,
Erode District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned proceedings in Na.Ka.No.01/Mike/G2 PS/2023, dated 18.12.2023 passed by the 2nd respondent and quash the same and consequently direct the 2nd respondent to grant permission and necessary protection to conduct the cultural program (i.e.,) Adal Padal on 25.12.2023 at 07.00 P.M to 10.00 P.M in the evening of CSI Church Christmas Festival, M.G.R.Nagar, Periapuliur, Bhavani, Erode District.



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For Petitioner : Mr.K.Prabhakaran

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

ORDER

This Writ Petition is filed by one Prakash claiming himself as committee President seeks permission from the 2nd respondent/police to conduct cultural program i.e., Adal Padal on 25.12.2023 and to provide police protection for the celebration.

2. According to the petitioner in his village there are about 200 families and they want to celebrate Adal Padal programme on the eve of Christmas and therefore, committee has been constituted under his Presidentship.

3. The Learned Government Advocate (Crl.Side) for the respondent states that, for Police Protection, the petitioner has sought for permission. However, the same was declined by Inspector of Police *vide* dated 18.12.2023 citing Public Order.



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4. Being aggrieved, the present Writ Petition is filed seeking Certiorarified Mandamus.

5. When this Court put a pointed question about the locus of the petitioner herein to seek such permission, the Petitioner Counsel unable to explain. A Church normally been administered by Pastor. Being a CSI Church, there is an hierarchy of Management and if at all there is any programme to be conducted, request must be emanate from the appropriate and responsible person, who are in the Management of the Church and not by some third party.

6. From the representation of the petitioner, it is very clear that, he is an individual with two members wants to collect contribution from public for which, he seeks Police Protection and when the police has rightly declined, he wants this Court to interfere. It is totally an abuse of law to get a seal of approval from the Court for illegal collection.



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7. Therefore, this ***Writ Petition is dismissed*** with costs of Rs.25,000/- (Rupees Twenty Five Thousand only) payable to Erode District Legal Services Authority, within a period of one month, failing which the District Collector, Erode shall proceed against this petitioner for the recovery of the costs invoking Revenue Recovery Act. Consequently, connected Miscellaneous Petition is closed.

22.12.2023

Index :Yes/No.
Internet :Yes/No.
Speaking Order/Non-Speaking Order
bsm
Copy to:-

1. The Deputy Superintendent of Police,
District Office, Paneerselvam Park,
Erode District.
2. The Inspector of Police,
Kavunthampadi Police Station,
Erode District.
3. The Public Prosecutor, High Court, Madras.



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DR.G.JAYACHANDRAN, J.

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