



W.P(MD)No.808 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.808 of 2023

Viothkumar

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Usilampatti, Madurai District.

2. The Inspector of Police,
Uthappanayakkanoor Police Station,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to accord permission to the cultural programme to be held on 16.01.2023 at about 08.00 am to 06.00 pm to be conducted at the Ayyanarkulam, Usilampatti Taluk, Madurai District - 625 537, based on the petitioner's representation, dated 30.12.2022.

For Petitioner : Mr.S.P.Naveen Kumar,

For Respondents : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.



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ORDER

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This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus, to direct the respondents to accord permission to the cultural programme to be held on 16.01.2023 at about 08.00 am to 06.00 pm to be conducted at the Ayyanarkulam, Usilampatti Taluk, Madurai District - 625 537, based on the petitioner's representation, dated 30.12.2022.

2. The learned Additional Public Prosecutor takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3.The learned counsel appearing for the petitioner submitted that the cultural programme to be held on 16.01.2023 at about 08.00 am to 06.00 pm to be conducted at the Ayyanarkulam, Usilampatti Taluk, Madurai District, they sought permission of the police by giving a representation dated 30.12.2022. But, the second respondent has not considered the said representation. Since no order was passed, the petitioner has come before this Court for the above said relief.



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4.The learned Additional Public Prosecutor appearing for the respondents would submit that in the previous years, seven CSRs were registered and with regard to the enquiry, the petitioner has not appeared before the second respondent. He would further submit that the petitioner may be directed to file an undertaking stating that no such untoward incident will occur, while conducting the programme. He would further submit that they may be permitted to conduct the programme on 16.01.2023 from 08.00 am to 06.00 pm.

5. At this juncture, the learned counsel appearing for the writ petitioner would submit that they are ready to file an undertaking affidavit as stated by the learned Additional Public Prosecutor.

6. I have considered the submission of the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

7. It is brought to the notice of this Court that the Director General of Police, Tamil Nadu, Chennai had issued a circular memorandum in Rc.007301/Genl.I (1)/2019, dated 09.04.2019, along with instructions to



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the Inspectors of Police throughout Tamil Nadu for consideration of applications seeking permission for conducting cultural programme.

Therefore, in view of the detailed circular and guidelines issued by the Director General of Police, the writ petitioner is directed to file an undertaking affidavit incorporating the date and time of the cultural programme and also stating that no such untoward incident will occur, while conducting the programme, before the second respondent and on such filing, the second respondent is hereby directed to consider the representation of the writ petitioner dated 30.12.2022 positively and pass orders imposing necessary conditions based on the above said circular.

8. With the above directions, this writ petition stands disposed of.

No costs.

12.01.2023

NCC : Yes/No

Index : Yes/No

Internet : Yes/ No

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Note : Issue order copy on 12.01.2023.



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To

1. The Deputy Superintendent of Police,
Usilampatti, Madurai District.
2. The Inspector of Police,
Uthappanayakkanoor Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

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