



W.P.(MD)No.921 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.01.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.921 of 2023

and

W.M.P.(MD)No.859 of 2023

P.Prabin

... Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2.The Deputy Superintendent of Police,
Thakkalai Sub Division,
Kanyakumari District.

3.The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.

4.Selva Kumar

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the second respondent in C.No.261/SDOT/2022 dated 28.12.2022 and impugned rejection order passed by the third respondent in C.No.T10PS/Fore cast/



W.P.(MD)No.921 of 2023

110/2022 dated 31.12.2022 whereby our request to celebrate Annual day of the year 2023 was declined and quash the same and consequently direct the respondents 1 to 3 to provide permission and police protection for the Annual day celebrations of our society in Survey No.803/19 on any date of this month of January as this Court deems fit.

For Petitioner : Mr.N.Dilip Kumar

For R1 to R3 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

For R4 : Mr.S.C.Herold Singh

ORDER

This Writ Petition has been filed seeking a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the second respondent in C.No.261/SDOT/2022 dated 28.12.2022 and impugned rejection order passed by the third respondent in C.No.T10PS/Fore cast/ 110/2022 dated 31.12.2022 whereby the petitioner's request to celebrate Annual day of the year 2023 was declined and quash the same and consequently direct the respondents 1 to 3 to provide permission and police protection for the Annual day celebrations of the petitioner's society in Survey No.803/19 on any date of this month of January.



W.P.(MD)No.921 of 2023

2. Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor takes notice for the respondents 1 to 3 and Mr.S.C.Herold Singh, learned counsel takes notice for the fourth respondent. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. It is not in dispute that the second respondent has granted permission to the petitioner to conduct the annual celebrations of Nehru Ninaivoo Vilaiyattu Mandram, but directed them not to conduct the function in Re Survey No.803/17.

4. The learned counsel appearing for the writ petitioner would submit that they may be permitted to conduct the festival in Survey No. 803/19. He would further submit that this Court has already passed an order against the fourth respondent and he has been creating troubles and interfering with the celebrations.

5. Moreover, the Deputy Superintendent of Police has granted permission to conduct programmes on 01.01.2023 and 02.01.2023, but



W.P.(MD)No.921 of 2023

the said period has already got expired. Hence, the writ petitioner is directed to give a fresh representation to the second respondent, indicating the date and time of the annual festival and on such representation, the second respondent is directed to consider the same and pass orders and in case of granting permission, impose necessary conditions.

6. With the above directions, this Writ Petition stands disposed of.

No costs. Consequently, connected Miscellaneous Petition is closed.

12.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm



W.P.(MD)No.921 of 2023

WEB COPY

To

- 1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.
- 2.The Deputy Superintendent of Police,
Thakkalai Sub Division,
Kanyakumari District.
- 3.The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



W.P.(MD)No.921 of 2023

K.MURALI SHANKAR,J.

csn

Order made in
W.P.(MD)No.921 of 2023
and
W.M.P.(MD)No.859 of 2023

Dated: 12.01.2023