



W.P(MD)No.1513 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

W.P(MD)No.1513 of 2023

Malaiyappan

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Deputy Superintendent of Police,
Cheranmahadevi,
Tirunelveli District.

3.The Inspector of Police,
Muneerpallam Police Station,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to grant permission to conduct the “Karakattam” on 30.01.2023 and 31.01.2023 and “Innisai Katcheri” program on 01.02.2023 in pursuant to the “Kodai Vizha” in “Sree Muppidathi Amman and Sree Santhanamariyamman Kovil” situated at Gopalasamuthiram, Cheranmahadevi Taluk, Tirunelveli District by considering the petitioner's representation dated 20.01.2023.



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For Petitioner : Mr.S.Sathya Chidambaram
For Respondents : Mr.M.Muthumanikkam
Government Advocate (Crl. Side)

ORDER

The writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the respondents herein to grant permission to conduct the “Karakattam” on 30.01.2023 and 31.01.2023 and “Innisai Katcheri” program on 01.02.2023 in pursuant to the “Kodai Vizha” in “Sree Muppudathi Amman and Sree Santhanamariyamman Kovil” situated at Gopalamuthiram, Cheranmahadevi Taluk, Tirunelveli District by considering the petitioner's representation dated 20.01.2023.

2. Mr.M.Muthumanikkam, learned Government Advocate (Criminal Side) 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 writ petitioner submitted that Kodai Vizha for the temple, by name, “Sree Muppudathi Amman and Sree Santhanamariyamman Kovil” situated at Gopalamuthiram, Cheranmahadevi Taluk, Tirunelveli District, is going to be held from 30.01.2023 to 01.02.2023. Subsequent to the same, in order to conduct



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the Karakattam on 30.01.2023 and 31.01.2023 and Innisai Katcheri on 01.02.2023, they sought permission of the police by giving a representation dated 20.01.2023. But, the respondents have not considered the said representation. Since no order was passed, the writ petitioner has come before this Court for the above said relief.

4. The learned Government Advocate (Criminal Side) appearing for the respondents would submit that the respondents have received the representation of the writ petitioner and the same is pending for consideration. He would further submit that the respondent police is ready to grant permission to conduct the Karakattam for two days i.e., on 30.01.2023 from 07.00 p.m. to 10.00 p.m. and 31.01.2023 from 07.00 p.m. to 10.00 p.m. and to conduct the Innisai Katcheri on 01.02.2023 from 07.00 p.m. to 10.00 p.m., if the writ petitioner agree to conduct the programmes as per the circular and guidelines issued by the Director General of Police, Tamil Nadu, Chennai dated 09.04.2019.

5. At this juncture, the learned counsel appearing for the writ petitioner would submit that they are ready to conduct the programme as stated by the learned Government Advocate (Criminal Side).



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6. I have considered the submission of the learned counsel appearing for the writ petitioner and the learned Government Advocate (Criminal Side) 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 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 programmes before the third respondent and on such filing, the third respondent is hereby directed to consider the representation of the writ petitioner, dated 20.01.2023 and pass suitable orders based on the above said circular. Further, the writ petitioner is also directed to pay a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** to the Station House Officer concerned towards bandobust charges.



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

No costs.

27.01.2023

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

Note : Issue order copy today (27.01.2023)

To

- 1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 2.The Deputy Superintendent of Police,
Cheranmahadevi,
Tirunelveli District.
- 3.The Inspector of Police,
Muneerpallam Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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A.D.JAGADISH CHANDIRA, J

csn

Order made in
W.P(MD)No.1513 of 2023

Dated : 27.01.2023