



W.P(MD)No.1582 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.1582 of 2023

P.Paulchamy

... Petitioner

Vs.

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

2.The Inspector of Police,
Ilayankudi Police Station,
Sivagangai 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 to grant permission and necessary protection to conduct the “Adal Padal” programme on 12.02.2023 at 06.00 p.m. to 11.00 p.m. in connection with “Thiru Vizah” of Arulmigu Sri Poranthaiya Ayyanar Thirukoil at Kallani Village, Ilayankudi Taluk, Sivagangai District.

For Petitioner : Mr.V.Manikandan

For Respondents : Mr.M.Muthumanikkam
Government Advocate (Crl. Side)



W.P(MD)No.1582 of 2023

WEB COPY

ORDER

The writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the respondents to grant permission and necessary protection to conduct the “Adal Padal” programme on 12.02.2023 at 06.00 p.m. to 11.00 p.m. in connection with “Thiru Vizha” of Arulmigu Sri Poranthaiya Ayyanar Thirukoil at Kallani Village, Ilayankudi Taluk, Sivagangai District.

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 festival for the temple, by name, “Arulmigu Sri Poranthaiya Ayyanar Thirukoil” situated at Kallani Village, Ilayankudi Taluk, Sivagangai District, is going to be held on 12.02.2023. Subsequent to the same, in order to conduct the cultural programme on 12.02.2023, they sought permission of the police by giving a representation dated 19.01.2023.



W.P(MD)No.1582 of 2023

But, the second respondent has 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 second respondent has 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 cultural programme on 12.02.2023 from 07.00 p.m. to 10.00 p.m., if the writ petitioner agrees to conduct the programme 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).

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.



W.P(MD)No.1582 of 2023

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 programme before the second respondent and on such filing, the second respondent is hereby directed to consider the representation of the writ petitioner, dated 19.01.2023 and pass suitable orders based on the above said circular. Further, the writ petitioner is also directed to pay a sum of **Rs.10,000/- (Rupees Ten Thousand only)** to the Station House Officer concerned towards bandobust charges.

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

4/6



WEB COPY



W.P(MD)No.1582 of 2023

To

- 1.The Superintendent of Police,
Sivagangai,
Sivagangai District.
- 2.The Inspector of Police,
Ilayankudi Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P(MD)No.1582 of 2023

A.D.JAGADISH CHANDIRA, J

csn

Order made in
W.P(MD)No.1582 of 2023

Dated : 27.01.2023