



W.P(MD)No.1794 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.1794 of 2023

L.Balamurugan

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Kovilpatti,
Thoothukudi District.

2.The Inspector of Police,
Kovilpatti East Police Station,
Kovilpatti,
Thoothukudi 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 to perform the program of Adal Padal program on 05.02.2023 night at about 06.00 p.m. to 11.00 p.m. at Kovilpatti, Iluppaiyurani Layal Mill Colony Nagar Arulmigu Sri Sithi Vinayagar Temple festival, Thoothukudi District and to provide adequate police protection based on the petitioner's representation dated 25.01.2023.

For Petitioner : Mr.K.Sridhar

For Respondents : Mr.E.Antony Sahaya Prabakar
Additional Public Prosecutor



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ORDER

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The writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the respondents to grant permission to perform the program of Adal Padal on 05.02.2023 night at about 06.00 p.m. to 11.00 p.m. at Kovilpatti, Iluppaiyurani Layal Mill Colony Nagar Arulmigu Sri Sithi Vinayagar Temple festival, Thoothukudi District and to provide adequate police protection based on the petitioner's representation dated 25.01.2023.

2. Mr.E.Antony Sahaya Prabahar, 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 writ petitioner submitted that festival for the temple, by name, “Arulmigu Sri Sithi Vinayagar Temple” situated at Kovilpatti, Iluppaiyurani Layal Mill Colony Nagar, Thoothukudi District, is going to be held on 05.02.2023. Subsequent to the same, in order to conduct a cultural programme on 05.02.2023, they sought permission of the police by giving a representation dated 25.01.2023. But, the respondents have not considered the said



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representation. Since no order was passed, the writ petitioner has come before this Court for the above said relief.

4. The learned Additional Public Prosecutor 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 they may be permitted to conduct the programme on 05.02.2023 from 07.00 p.m. to 10.00 p.m.

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 Additional Public Prosecutor.

6. I have considered the submission of the learned counsel appearing for the writ 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 the Inspectors of Police throughout Tamil Nadu for consideration of



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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 25.01.2023 and pass suitable orders based on the above said circular.

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

No costs.

31.01.2023

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

Note : Issue order copy on 02.02.2023



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- To
- 1.The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Kovilpatti,
Thoothukudi District.
 - 2.The Inspector of Police,
Kovilpatti East Police Station,
Kovilpatti,
Thoothukudi District.
 - 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

csn

Order made in
W.P(MD)No.1794 of 2023

Dated : 31.01.2023