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W.P(MD)No.2557 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.02.2023

CORAM :

**THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR**

W.P(MD)No.2557 of 2023

Iyyappan

... Petitioner

Vs

1.The Deputy Superintendent of Police,  
Nanguneri Division, Nanguneri,  
Tirunelveli District.

2.The Inspector of Police,  
Nanguneri Police Station,  
Nanguneri, Tirunelveli 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 grant permission and police protection to conduct Innisai Katchery during the temple festival of Arulmigu Sri Theradi Madan along with Parikaramoorthi Temple, situated at Marungalkurichi Village, Nanguneri Taluk, Tirunelveli District on 09.02.2023 at 08.00 pm to 11.00 pm on the basis of the petitioner's representation, dated 01.02.2023 and for other reliefs.

For Petitioner : Mr.A.Balaji

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 grant permission and police protection to conduct Innisai Katchery during the temple festival of Arulmigu Sri Theradi Madan along with Parikaramoorthi Temple, situated at Marungalkurichi Village, Nanguneri Taluk, Tirunelveli District on 09.02.2023 at 08.00 pm to 11.00 pm on the basis of the petitioner's representation, dated 01.02.2023 and for other reliefs.

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 writ petitioner submitted that 'Innisai Katchery' during the temple festival of Arulmigu Sri Theradi Madan along with Parikaramoorthi Temple, situated at Marungalkurichi Village, Nanguneri Taluk, Tirunelveli District, is going to be held on 09.02.2023. Subsequent to the same, in order to conduct a cultural programme on 09.02.2023 at 08.00 pm to 11.00 pm, they sought



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permission of the police by giving a representation dated 01.02.2023.

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 Additional Public Prosecutor appearing for the respondents would submit that an untoward incident was occurred in the same village in the previous year in connection with another temple festival. He would further submit that the petitioner may be directed to file an undertaking affidavit 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 09.02.2023 at 07.00 pm to 10.00 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.



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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 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 01.02.2023 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.

**08.02.2023**

NCC : Yes/No

Index : Yes/No

Internet : Yes/ No

das

Note : Issue order copy on 08.02.2023.



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To

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



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**K.MURALI SHANKAR, J**

das

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