



W.P(MD)No.2727 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.2727 of 2023

I.Balamurugan

... Petitioner

Vs

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

2. The Inspector of Police,
Thenkarai Police Station,
Periyakulam, Theni 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 “Adal Padal” programme on 11.02.2023 at 07.00 pm to 10.00 pm in connection with “Thiru Vizha” of Arulmigu Sri Aandammal, Sri Murugan Thirukovil at Saruthupatti Village, Periyakulam Taluk, Theni District.

For Petitioner : Mr.V.Manikandan,

For Respondents : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor



W.P(MD)No.2727 of 2023

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 necessary protection to conduct “Adal Padal” programme on 11.02.2023 at 07.00 pm to 10.00 pm in connection with “Thiru Vizha” of Arulmigu Sri Aandammal, Sri Murugan Thirukovil at Saruthupatti Village, Periyakulam Taluk, Theni District.

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 petitioner submitted that “Thiru Vizha” of Arulmigu Sri Aandammal, Sri Murugan Thirukovil at Saruthupatti Village, Periyakulam Taluk, Theni District, is going to be held on 11.02.2023. Subsequent to the same, in order to conduct a cultural programme on the same day 11.02.2023 at 07.00 pm to 10.00 pm, they sought permission of the police by giving a representation dated 01.02.2023. But, the second respondent has not considered the said



W.P(MD)No.2727 of 2023

representation. Since no order was passed, the 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 2019 in connection with the 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.

5. I have considered the submission of the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

6. 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



W.P(MD)No.2727 of 2023

undertaking affidavit 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.

7. With the above direction, this writ petition is disposed of. No cost.

10.02.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/ No
das

Note : Issue order copy on **10.02.2023**.

To

1. The Superintendent of Police,
Theni, Theni District.
2. The Inspector of Police,
Thenkarai Police Station,
Periyakulam, Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P(MD)No.2727 of 2023

K.MURALI SHANKAR, J

das

W.P(MD)No.2727 of 2023

10.02.2023