



W.P(MD)No.4938 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:08.03.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.4938 of 2023

Vijayakumar

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Peraiyur Sub-Division,
Madurai District.

3.The Inspector of Police,
Sedapatti Police Station,
Madurai 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 adequate Police protection to conduct “Adal Padal” on 04.04.2023 at about 6.30 p.m., to 11.00 p.m., in the eve of “Panguni Uthiram” festival of the “Shree Muthalamman Thirukovil” situated in Alligundam Village, Usilampatti, Madurai District, in pursuant to the petitioner's representation dated 01.03.2023.



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For Petitioner : Mr. Premkumar.A
For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

The writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the respondents to grant permission and adequate Police protection to conduct “Adal Padal” on 04.04.2023 at about 6.30 p.m., to 11.00 p.m., in the eve of “Panguni Uthiram” festival of the “Shree Muthalamman Thirukovil” situated in Alligundam Village, Usilampatti, Madurai District in pursuant to the petitioner's representation dated 01.03.2023.

2. Mr. B.Nambiselvan, 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, “Shree Muthalamman Thirukovil” situated at Alligundam Village, Usilampatti, Madurai District, is going to be held on 04.04.2023. Subsequent to the same, in order to conduct a



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cultural programme on 04.04.2023, they sought permission of the Police by giving a representation dated 01.03.2023. 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 there was some sort of communal clash is apprehended by the respondent. Since already there was a issue between the two community people, over which, the First Information Report in crime No.73 of 2021 was registered and in the last year also the similar communal issue has arose and on that ground, the learned Additional Public Prosecutor makes strong objection to grant permission. He would further submit that the representation made by the writ petitioner is still pending.

5. At this juncture, the learned counsel appearing for the writ petitioner would submit that no such untoward incident will occur, while conducting the cultural program.



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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. Recording the submissions made on either sides, the second respondent is directed to summon this petitioner as well as the rival groups, after ascertaining the ground reality, representation of the writ petitioner dated 01.03.2023 may be considered and pass orders within a week from the date of appearance of the parties.

8. With the above direction, this writ petition stands disposed of.
No costs.

08.03.2023

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
Indu

Note : Issue order copy today (08.03.2023)



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To

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



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G.ILANGO VAN, J

Indu

Order made in
W.P(MD)No.4938 of 2023

Dated :08.03.2023