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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.04.2023**

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGOVAN

W.P(MD)No.5308 of 2023
and W.M.P.(MD).No.4978 of 2023
and Crl.O.P.(MD).No.2834 of 2023

W.P.(MD).No.5308 of 2023

Rasu Achari ... Petitioner

Vs.

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

2.The Inspector of Police,
Thalavaipuram Police Station,
Virudhunagar District.

3.Balathandayutha Achari,
4.Chandran Achari,
5.Murugan Achari, S/o Vanamoorthy Lingam Achari,
6.Rajappan Achari,
7.Murugan Achari, S/o Poorasu Achari,
8.Rasu Achari, S/o Samiappan Achari ... 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

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respondents 1 & 2 to grant permission and protection for conducting "Panguni Pongal" scheduled to be held on 09.04.2023 to 11.04.2023 in Viswakarma Samuthayam Sri Kamatchiamman Mada Alayam at Kommanthapuram, Chettiyarpatti Town Panchayat, Rajapalayam Taluk, Virudhunagar District, based on the petitioner's representation, dated 30.01.2023.

For Petitioner : Mr.S.Muniyandi

For Respondent : Mr.B.Nambiselvan for R1 & R2
Additional Public Prosecutor

Mr.D.Raja Boopathy for R3 to R6

Crl.O.P.(MD).No.2834 of 2023

K.Balathandayutham ... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar District.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Rajapalayam,
Virudhunagar District.

3.The Inspector of Police,
Dhalavaipuram Police Station,
Virudhunagar District.

4.C.Raju

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5.C.Karuppaiah
6.C.Gurunathan
7.C.Sakthivel ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondents to give necessary police protection to the life and limb of the petitioner's representation, dated 07.02.2023.

For Petitioner : Mr.D.Rajaboopathy

For Respondent : Mr.B.Nambiselvan for R1 to R3
Additional Public Prosecutor

Mr.S.Muniyandi for R4 to R7

COMMON ORDER

The writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the respondents 1 & 2 to grant permission and protection for conducting “Panguni Pongal” scheduled to be held on 09.04.2023 to 11.04.2023 in Viswakarma Samuthayam Sri Kamatchiamman Mada Alayam at Kommanthapuram, Chettiyarpatti Town Panchayat, Rajapalayam Taluk, Virudhunagar District, based on the petitioner's representation, dated 30.01.2023, whereas, the Criminal Original Petition has been filed seeking direction to the respondents to give necessary police protection to the life and limb of the petitioner's

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representation, dated 07.02.2023.

2.The grievance of the petitioner in W.P.(MD).No.5308 of 2023, they must also be included in the above said Celebration of the temple festival for worshipping, for which, the learned counsel for the petitioner on record in Crl.O.P.(MD).No.2834 of 2022 stated that he has no objection.

3.Let both of them file undertaking affidavit before the Inspector of Police, Dhalavaipuram Police Station, Virudhunagar District, to the effect that they will not make any trouble to each other in the celebration of the temple festival in Worshipping. On the basis of such undertakings, given by both parties, permission may be granted by the Inspector of Police, Dhalavaipuram Police Station, Virudhunagar District.

4.With the above said directions, the writ petition and well as the criminal original petition are disposed of. No costs. Consequently, connected miscellaneous petition is closed.

05.04.2023

NCC :Yes/No
Index :Yes/No

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Internet : Yes/ No
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To

1.The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar District.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Rajapalayam,
Virudhunagar District.

3.The Inspector of Police,
Dhalavaipuram Police Station,
Virudhunagar District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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G.ILANGOVAN, J

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Order made in
W.P(MD)No.5308 of 2023

Dated :05.04.2023

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