



**W.P(MD)No.5622 of 2023**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 23.03.2023**

**CORAM :**

**THE HONOURABLE MR.JUSTICE G.ILANGO VAN**

**W.P(MD)No.5622 of 2023**  
**and**  
**W.M.P(MD).No.5241 of 2023**

Kumar @ Maruthukumar

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,  
Muthupettai,  
Thanjavur District.

3.The Inspector of Police,  
Muthupettai Police Station,  
Thanjavur District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, call for the records pertaining to the impugned order passed by the third respondent in Na.Ka.No.14/Muthupettai Police Station/Order/2023 dated 09.03.2023 and quash the same and consequently, direct the respondents to grant permission to conduct the demonstration by our party on



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20.03.2023 at about 03.00 PM at near Muthupettai Municipality,  
Muthupettai, Police.

For Petitioner : Mr.C.Ezhilarasu  
For Respondents : Mr.B.Nambiselvan  
Additional Public Prosecutor

### **ORDER**

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the respondents, call for the records pertaining to the impugned order passed by the third respondent in Na.Ka.No.14/Muthupettai Police Station/Order/2023 dated 09.03.2023 and quash the same and consequently, direct the respondents to grant permission to conduct the demonstration by our party on 20.03.2023 at about 03.00 PM at near Muthupettai Municipality, Muthupettai, Police.

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 Additional Public Prosecutor appearing for the respondent police submitted that in order to conduct the demonstration



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by our party on 20.03.2023 at about 03.00 PM at near Muthupettai Municipality, Muthupettai Police, the writ petitioner has sent a representation dated 07.03.2023 to the third respondent and the third respondent has passed the impugned order rejecting the writ petitioner's representation stating that promulgation order has been passed under Section 30(2) of the Police Act and that if the demonstration is conducted in the said village, it will create a law and order problem. He would further submit that permission will be granted to the writ petitioner to conduct the above said functions on 29.03.2023.

4. At this juncture, the learned counsel appearing for the writ petitioner would submit that they are ready to give a fresh representation before the concerned respondent police by incorporating date and time.

5. I have considered the submission of the learned counsel appearing for the writ 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



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Re.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 programme. Therefore, in view of the detailed circular and guidelines issued by the Director General of Police, the writ petitioner is directed to give a fresh representation incorporating the date (i.e 29.03.2023) and time of the above said demonstration by our party before the third respondent and on such representation, the third respondent is hereby directed to consider the same and pass orders on merits and in accordance with law immediately based on the above said circular and the time for conducting the cultural programme may be fixed by the concerned authority, depending upon the situation in the locality.

7. With the above directions, this Writ Petition stands disposed of.

No costs. Consequently, the connected miscellaneous petition is closed.

**23.03.2023**

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

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**(Note :- Issue order copy on 24.03.2023.)**



WEB COPY

To

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



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**G.ILANGOVAAN,J**

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**Order made in**  
**W.P(MD)No.5622 of 2023**

**Dated : 23.03.2023**