

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.7141 of 2023

Thillaiyambalam

... Petitioner

Vs.

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

2. The Inspector of Police,
Sethubavachathiram 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 calling for the records relating to Na.Ka.No.87/SBC PS/2023, dated, 26.03.2023 passed by the 2nd respondent and quash the same and consequently, direct the respondents to provide police protection and permission to conduct Adal Padal Programmes on 02.04.2023 and 03.04.2023 in even of the Malaimariyamman Thirukovil Annual Festival of Pudupattinam, Rajamadam, Pattukottai Taluk, Thanjavur Distich.

For Petitioner : Mr.R.D. Murugesn

For Respondents : Mr.R.Sureshkumar
Government Advocate (Crl. Side)

ORDER

This Writ Petition has been filed seeking a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 2nd respondent in Na.Ka.No.87/SBC PS/2023, dated, 26.03.2023 and quash the same and consequently, direct the respondents to provide police protection and permission to conduct Adal Padal Programmes on 02.04.2023 and 03.04.2023 in even of the Malaimariyamman Thirukovil Annual Festival of Pudupattinam, Rrajamadam, Pattukottai Taluk, Thanjavur Distict.

2. Mr.S.Manikandan, learned Government Advocate (Crl. Side) takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The learned Government Advocate (Crl. Side) appearing for the respondents would submit that they have already issued proceedings on 26.03.2023 by rejecting the representation made by the writ petitioner

dated 26.03.2023 for conducting the Adal Padal Programmes stating that if programmes is conducted in the said village, it will create a law and order problem.

4. I have considered the submission of the learned counsel appearing for the writ petitioner and the learned Government Advocate (Crl.Side) appearing for the respondents.

5. It is noted that the second respondent police without considering the circular of the Director General of Police, Tamil Nadu, Chennai in Rc.007301/Genl.I (1)/2019 dated 09.04.2019 passed the impugned order.

6. In view of the circular issued by the Director General of Police, Tamil Nadu, Chennai in Rc.007301/Genl.I (1)/2019 dated 09.04.2019, the impugned order passed by the second respondent, dated 26.03.2023 is hereby set aside, the writ petitioner is directed to file a fresh representation before the third respondent and on such representation, the second respondent is hereby directed to consider the the same and pass orders on merits and in accordance with law by following the detailed circular and guidelines issued by the Director General of Police in Rc. 007301/Genl.I (1)/2019 dated 09.04.2019.

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

No costs.

31.03.2023

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

trp

To

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

2. The Inspector of Police,
Sethubavachathiram Police Station,
Thanjavur District.

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

W.P(MD)No.7141 of 2023

G.ILANGOVAN,J

trp

Order made in
W.P(MD)No.7141 of 2023

Dated : 31.03.2023