



W.P(MD)No.7540 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:03.04.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.7540 of 2023

and

W.M.P(MD) No.7031 of 2023

Dhanabal S

... Petitioner

Vs.

1. The Additional Superintendent of Police,
Uthamapalayam Range,
Theni District.

2. The Inspector of Police,
Rayappanpatti Police Station,
Uthamapalayam Taluk,
Theni District.

3. The Sub Inspector of Police,
Rayappanpatti Police Station,
Uthamapalayam Taluk,
Theni 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 the impugned order passed by the 3rd respondent dated 30.3.2023 and quash the same and consequently directing the respondents herein to grant permission and adequate police protection to perform the cultural programme i.e., Adal Padal on



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4.4.2023 on the eve of Arulmigu Mandhaiyamman Temple Festival at Kamayakoundanpatti Village, Uthamapalayam Taluk, Theni District.

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

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 3rd respondent dated 30.3.2023 and quash the same and consequently directing the respondents herein to grant permission and adequate police protection to perform the cultural programme i.e., Adal Padal on 4.4.2023 on the eve of Arulmigu Mandhaiyamman Temple Festival at Kamayakoundanpatti Village, Uthamapalayam Taluk, Theni District.

2. Mr.R.Suresh Kumar, 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.



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3. The learned counsel appearing for the writ petitioner submitted that festival for the temple, by name, “Arulmigu Mandhaiyamman Temple Festival at Kamayakoundanpatti Village, Uthamapalayam Taluk, Theni District”, is going to be held on 04.04.2023. Subsequent to the same, in order to conduct a cultural programme on 04.04.2023, they sought permission of the police by giving a representation dated 29.03.2023. But, the third respondent has considered and rejected the said representation. Challenging the same, the writ petitioner has come before this Court for the above said relief.

4. The learned Government Advocate (Crl. Side) appearing for the respondents would submit that if fresh representation is given to the third respondent, the same will be considered.

5. 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.

6. It is noted that the third respondent police without considering the circular of the Director General of Police, Tamil Nadu, Chennai in



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Rc.007301/Genl.I (1)/2019 dated 09.04.2019 passed the impugned order.

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7. 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, rejection order dated 30.03.2023, passed by the 3rd respondent is hereby set aside. The writ petitioner is directed to file a fresh representation before the third respondent and on such representation, the third respondent shall consider the same and pass suitable orders 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.

8. With the above directions, this Writ Petition stands disposed of.
No costs. Consequently, the connected Miscellaneous Petition is closed.

03.04.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/ No
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To

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Theni District.
2. The Inspector of Police,
Rayappanpatti Police Station,
Uthamapalayam Taluk,
Theni District.
3. The Sub Inspector of Police,
Rayappanpatti Police Station,
Uthamapalayam Taluk,
Theni 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
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Dated :03.04.2023