

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGOVAN

WP.(MD)No.7705 of 2023

J.Munisamy

...Petitioner

Vs.

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

2.The Inspector of Police,
Melur 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 2nd respondent to grant permission and necessary protection to perform cultural program (ie.,) Adal Padal on 10.04.2023 at 07:00p.m to 10:00p.m, in the evening of “Arulmigu Sri Thootichi Amman Thirukovil”, 66th year Panguni Pongal Thiruvizha, Chokkampatti, Melur Taluk, Madurai District by considering the petitioner's representation dated 30.03.2023.

For Petitioner : Mr.J.Krishnakumar
For Respondent : Mr.R.Sureshkumar
Government Advocate (Crl. Side)

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus, directing the 2nd respondent to grant permission and necessary protection to perform cultural program (ie.,) Adal Padal on 10.04.2023 at 07:00p.m to 10:00p.m, in the evening of “Arulmigu Sri Thootichi Amman Thirukovil”, 66th year Panguni Pongal Thiruvizha, Chokkampatti, Melur Taluk, Madurai District by considering the petitioner's representation dated 30.03.2023.

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.

3. The learned counsel appearing for the writ petitioner submitted that festival for the temple, by name, “Arulmigu Sri Thootichi Amman Thirukovil" at Chokkampatti, Melur Taluk, Madurai District, is going to be held on 10.04.2023 at 07:00p.m to 10:00p.m. Subsequent to the same,

in order to conduct a cultural programme on 10.04.2023 at about 07.00 p.m., to 10.00 p.m, they sought permission from the police by giving a representation dated 30.03.2023. 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 Government Advocate(Crl. Side) appearing for the respondents would submit that the second respondent has received the representation of the writ petitioner and the same is pending for consideration. He further submitted that in the neighboring village, a murder took place in a similar event, over which, the apprehension of breach of peace by the respondents.

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 brought to the notice of this Court that the Director General of Police, Tamil Nadu, Chennai had issued a circular memorandum in Rc.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 cultural programme. Therefore, in view of the detailed circular and guidelines issued by the Director General of Police, the second respondent is hereby directed to consider the representation of the writ petitioner, dated 30.03.2023 and also considering the submission made by the learned Government Advocate(Crl. Side), pass suitable order by taking into account the present situation in the locality. Depending upon the outcome of the representation dated 30.03.2023, the petitioner shall workout his remedy through appropriate proceedings.

7. With the above direction, this Writ Petition stands disposed of. No costs.

05.04.2023

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

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

WP.(MD)No.7705 of 2023

G.ILANGO VAN,J

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Order made in
WP.(MD)No.7705 of 2023

Dated : 05.04.2023