



W.P(MD)No.8492 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.8492 of 2023

Lingasamy.T

... Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Thoothukudi District.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Thoothukudi District.
- 3.The Deputy Superintendent of Police,
Maniyatchi Division,
Thoothukudi District.
- 4.The Tahsildar,
Ottapidaram Taluk,
Thoothukudi District.
- 5.The Inspector of Police,
Ottapidaram Police Station,
Thoothukudi District.
- 6.Arulmigu Veera Sakkadevi Temple
Represented by its President,
Mr.Murugaboopathi,
Administrative Committee,
Panchalamchuruchi,



W.P(MD)No.8492 of 2023

Ottapidaram Taluk,
Thoothukudi District.

... Respondents

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the Respondents 1 to 5 to grant permission to conduct festival at “Kottai Karuppasamy Temple” situated at Panchalamkurichi, Ottapidaram Taluk, Thoothukudi District on 13.05.2023 and 14.05.2023 by considering the Petitioner's representation dated 25.03.2023 within the time stipulated by the Court.

For Petitioner : Mr.Thirumurugan.T
For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus, to direct the Respondents 1 to 5 to grant permission to conduct festival at “Kottai Karuppasamy Temple” situated at Panchalamkurichi, Ottapidaram Taluk, Thoothukudi District on 13.05.2023 and 14.05.2023 by considering the Petitioner's representation dated 25.03.2023 within the time stipulated by the Court.

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.



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3. The learned counsel appearing for the writ petitioner submitted that festival for the temple, by name, “Kottai Karuppasamy Temple” situated at Panchalamkurichi, Ottapidaram Taluk, Thoothukudi District, is going to be held on 13.05.2023 and 14.05.2023. Subsequent to the same, in order to conduct a cultural programme 13.05.2023 and 14.05.2023, they sought permission of the police by giving a representation dated 25.03.2023. But, the fifth 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 fifth respondent has received the representation of the writ petitioner and the same is pending for consideration. He further submitted that because of some rivalry between the two groups with regard to claiming the right over the property, several cases have been registered against two groups of people. On that ground, he vehemently opposed to grant permission to conduct the programme.

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.



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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 fifth respondent is hereby directed to consider the representation of the writ petitioner, dated 25.03.2023 and also considering the submission made by the learned Additional Public Prosecutor, pass suitable order by taking into account the present situation in the locality by summoning both parties. Depending upon the outcome of the representation dated 25.03.2023, the petitioner shall workout his remedy through appropriate proceedings.

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

17.04.2023

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

1. The District Collector,
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Thoothukudi District.
2. The Superintendent of Police,
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Thoothukudi District.
3. The Deputy Superintendent of Police,
Maniyatchi Division,
Thoothukudi District.
4. The Tahsildar,
Ottapidaram Taluk,
Thoothukudi District.
5. The Inspector of Police,
Ottapidaram Police Station,
Thoothukudi District.
6. 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.8492 of 2023

Dated : 17.04.2023