



W.P(MD)No.8606 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:13.04.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.8606 of 2023 and
W.M.P(MD) No.7920 of 2023

Siva.M (Village Head)

... Petitioner

Vs.

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

2. The Deputy Superintendent of Police,
Maniyatchi Circle,
Thoothukudi District.

3. The Inspector of Police,
Ottapitaram Police Station,
Ottapitaram,
Thoothukudi 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 2nd respondent in his proceedings in no.Nil dated 11.04.2023 and quash the same and consequently directing the respondents herein to grant permission for conducting cultural programme and Rakla race on 16.04.2023 on the eve of 253th birth anniversary of Maveeran Sundaralingam at Governagiri.



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For Petitioner : Mr. Sarvagan Prabhu.S
For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor

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 2nd respondent in his proceedings in no.Nil dated 11.04.2023 and quash the same and consequently directing the respondents herein to grant permission for conducting cultural programme and Rakla race on 16.04.2023 on the eve of 253th birth anniversary of Maveeran Sundaralingam at Governagiri.

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 counsel appearing for the writ petitioner submitted that for conducting cultural program and Rakla race on 16.04.2023 on the eve of 253th birth anniversary of Maveeran Sundaralingam at Governagiri, they sought permission of the police by giving a



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representation dated 09.04.2023. But, the second 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 Additional Public Prosecutor appearing for the respondents would submit that inspite of the date that is mentioned in the above said representation made by the petitioner, some other alternative date and time may be given by the petitioner for conducting the above said cultural program and Rakla race.

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 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.

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 in No. Nil, dated 11.04.2023, passed by the 2nd



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respondent is hereby set aside. The writ petitioner is directed to file a fresh representation incorporating the alternative dates and time of the cultural programme and rekla race before the second respondent and on such representation, the second respondent shall consider the same by imposing reasonable conditions upon the organizers and pass suitable orders based on the above said circular and the time for conducting the cultural programme and Rakla Race 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.

13.04.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/ No
Indu



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To

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Thoothukudi.
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3. The Inspector of Police,
Ottapitaram Police Station,
Ottapitaram,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J

Indu

Order made in
W.P(MD)No.8606 of 2023

Dated :13.04.2023