



W.P.(MD)No.9014 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2023

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THE HON'BLE MR.JUSTICE G.ILANGO VAN

W.P.(MD)No.9014 of 2023

and

W.M.P(MD).No.8172 of 2023

Rajapandi

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Thanjavur Sub Division,
Thanjavur District.

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

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the first respondent in his proceedings in ந.க.எண்.06/த.உள.உ.கோ/2023 dated 12.04.2023 and quash the same as illegal and consequently, direct the respondents to permit the petitioner to conducting “Adal Padal” on 21.04.2023 at about 07.00 p.m during the conducting festival of “Arulmigu Uththirapathiyar Madalaiyam Amuthu Padaiyal Vila”, Udaiyarkovil, Vadapathi, Papanasam Taluk, Thanjavur District.



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For Petitioner : Mr.K.M.Karunakaran
For Respondents : Mr.R.Suresh Kumar
Government Advocate(Crl.Side)

ORDER

This Writ Petition has been filed seeking a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the first respondent in his proceedings in ந.க.எண்.06/த.உ.உ.கோ/2023 dated 12.04.2023 and quash the same as illegal and consequently, direct the respondents to permit the petitioner to conducting “Adal Padal” on 21.04.2023 at about 07.00 p.m during the conducting festival of “Arulmigu Uththirapathiyar Madalaiyam Amuthu Padaiyal Vila”, Udaiyarkovil, Vadapathi, Papanasam Taluk, Thanjavur 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.

3. The learned Government Advocate(Crl. Side) appearing for the respondents would submit that they have already issued proceedings on



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12.04.2023 by rejecting the representation made by the writ petitioner dated 10.04.2023 for conducting the Adal and Padal stating that if the Adal and Padal 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 third 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 19.03.2023 is hereby set aside, the writ petitioner is directed to file a fresh representation before the second respondent and on such representation, the second respondent is hereby directed to consider the the same and



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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,

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

No costs. Consequently, the connected miscellaneous petition is closed.

20.04.2023

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

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



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G.ILANGO VAN,J.

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Order made in
W.P.(MD)No.9014 of 2023

Dated: 20.04.2023