



W.P(MD)No.9124 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.9124 of 2023

K.Prabakaran

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Munneerpallam Police Station,
Tirunelveli 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 respondents to grant permission to conduct cultural programs scheduled on 24.04.2023 to 26.04.2023 in the temple place which is situated at Keelaseval Village, Cheranmadevi Taluk, Tirunelveli District, by considering the petitioner's representation dated 10.04.2023.

For Petitioner : Mr.S.Micheal Heldon Kumar
For Respondents : Mr.R.Suresh Kumar
Government Advocate (Crl. Side)



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ORDER

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This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus, directing the respondents to grant permission to conduct cultural programs scheduled on 24.04.2023 to 26.04.2023 in the temple place which is situated at Keelaseval Village, Cheranmadevi Taluk, Tirunelveli District, by considering the petitioner's representation dated 10.04.2023.

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 situated at Keelaseval Village, Cheranmadevi Taluk, Tirunelveli District, is going to be held on 24.04.2023 to 26.04.2023. Subsequent to the same, in order to conduct a cultural programme 24.04.2023 to 26.04.2023, they sought permission of the police by giving a representation dated 10.04.2023. 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.



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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 year 2021, there was a murder took place, over which a case in Crime No.407 of 2021 was registered and on 15.01.2023 an another murder took place, over which, a case in Crime No.07 of 2023 was registered against 7 persons.

5. The learned counsel for the petitioner submitted that the petitioner is not involved in the above said murdered cases.

6. The second respondent appeared before this Court and stated that because of the above said murdered cases, 1500 police engaged regularly in the village and even now, the above said patrol is not withdrawn.

7. 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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8. 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 10.04.2023 and pass suitable orders based on the above said circular. If the second respondent is apprehend the breach of peace, he shall reject the petitioner's representation dated 10.04.2023. Depending upon the outcome of the representation, the petitioner shall workout his remedy through appropriate proceedings.

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

No costs.

20.04.2023

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

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To

- 1.The Superintendent of Police,
Tirunelveli District.
- 2.The Inspector of Police,
Munneerpallam Police Station,
Tirunelveli 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.9124 of 2023

Dated : 20.04.2023