



W.P(MD)No.9083 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.9083 of 2023

Saravanan

... Petitioner

Vs.

1.Deputy Superintendent of Police,
Orathanadu,
Thanjavur District.

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned communication, dated 13.04.2023, issued by the 2nd respondent and quash the same and consequently, directing the Respondents herein to grant permission to conduct the Pattimandram on 05.05.2023 and Aadal -Padal programme on 06.05.2023 in pursuant to the Chithirai Thiruvizha in Arulmigu Subramaniyar Kovil situated at Pulavankadu Village, Orathanadu Taluk, Thanjavur District, by considering the petitioner's representation, dated



W.P(MD)No.9083 of 2023

11.04.2023.

WEB COPY

For Petitioner : Mr.S.Kannan

For Respondents : Mr.R.Suresh Kumar
Government Advocate (Crl. side)

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Certiorarified Mandamus, to quash the impugned communication, dated 13.04.2023, issued by the 2nd respondent and consequently, to direct the Respondents herein to grant permission to conduct the Pattimandram on 05.05.2023 and Aadal -Padal programme on 06.05.2023 in pursuant to the Chithirai Thiruvizha in Arulmigu Subramaniyar Kovil situated at Pulavankadu Village, Orathanadu Taluk, Thanjavur District, by considering the petitioner's representation, dated 11.04.2023.

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



W.P(MD)No.9083 of 2023

that Chithirai Thiruvizha in Arulmigu Subramaniyar Kovil situated at Pulavankadu Village, Orathanadu Taluk, Thanjavur District, is going to be held on 05.05.2023 & 06.05.2023. Subsequent to the same, in order to conduct a cultural programme on 05.05.2023 & 06.05.2023, they sought permission of the police by giving a representation dated 11.04.2023. 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 Government Advocate (Crl. side) appearing for the respondents would submit that if fresh representation is given to the second respondent seeking permission for one day alone, the same will be considered.

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 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 sent the impugned



W.P(MD)No.9083 of 2023

communication.

WEB COPY

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, the impugned communication, dated 13.04.2023, sent by the 2nd respondent is hereby set aside. The writ petitioner is directed to file a fresh representation before the second respondent by restricting their programmes for one day and on such representation, the second respondent shall consider the same and pass suitable orders based on the above said circular and the time for conducting the cultural programme 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.

20.04.2023

NCC : Yes/No

Index : Yes/No

Internet : Yes/ No

TM



W.P(MD)No.9083 of 2023

To

WEB COPY

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



WEB COPY



W.P(MD)No.9083 of 2023

G.ILANGOVA, J

TM

Order made in
W.P(MD)No.9083 of 2023

Dated : 20.04.2023