



W.P(MD)No.9646 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.9646 of 2023

W.M.P(MD) No.8543 and 8545 of 2023

Murugesan.P

... Petitioner

Vs.

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

2.The Sub Inspector of Police,
Jeyamankalam Police Station,
Theni 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 on the file of the 2nd respondent pursue to the impugned order bearing No. Nil, dated 01-04-2023 and quash the same and consequently direct the respondents to grant permission to perform cultural program by Adal Padal scheduled to be held on 03-05-2023 at about 6.00 p.m. to 10.00 p.m. at Arulmigu Sri Makaliamman Thirukovil, Velnagar Village, Periyakulam Taluk, Theni District.

For Petitioner : Mr.Herold Singh.S.C

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 Certiorarified Mandamus, to call for the records on the file of the 2nd respondent pursue to the impugned order bearing No. Nil, dated 01-04-2023 and quash the same and consequently direct the respondents to grant permission to perform cultural program by Adal Padal scheduled to be held on 03-05-2023 at about 6.00 p.m. to 10.00 p.m. at Arulmigu Sri Makaliamman Thirukovil, Velnagar Village, Periyakulam Taluk, Theni 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 counsel appearing for the writ petitioner submitted that festival for the temple, by name, “Arulmigu Sri Makaliamman Thirukovil, Velnagar Village, Periyakulam Taluk, Theni District”, is going to be held on 02.05.2023 and 03.05.2023. Subsequent to the same, in order to conduct a cultural programme on 03.05.2023, they sought permission of the police by giving a representation dated 31.03.2023.



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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 if fresh representation is given to the second respondent, the same will be considered.

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 No.Nil, dated 01.04.2023, passed by the 2nd respondent is hereby set aside. The writ petitioner is directed to file a fresh representation before the second respondent and on such representation,



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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. Consequently, the connected Miscellaneous Petitions are closed. No costs.

25.04.2023

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

To

1. The Superintendent of Police,
Theni District,
Theni.
2. The Sub Inspector of Police,
Jeyamankalam Police Station,
Theni District.
3. The learned 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.9646 of 2023

Dated : 25.04.2023