



W.P(MD)No.9234 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.9234 of 2023

Ganesan

... Petitioner

Vs.

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

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

3.The Sub-Inspector of Police,
Sethupavachathiram 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 pertaining to the impugned order passed by the 3rd respondent in his proceedings in Na.Ka.No.95/SBC PS/2023, dated 16.04.2023 and quash the same as illegal, consequently, directing the respondents to grant permission and necessary protection to conduct the 'Adal Padal' Cultural programme on 21.04.2023 in connection with Thiruvila of Arulmigu Sri Karpagavinayagar Thirukovil situated at Alagiyanayagipuram, Pattukottai, Thanjavur District.



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For Petitioner : Mr.R.L.Dilipan Pandian
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, to call for the records pertaining to the impugned order passed by the 3rd respondent in his proceedings in Na.Ka.No.95/SBC PS/2023, dated 16.04.2023 and quash the same as illegal, consequently, directing the respondents to grant permission and necessary protection to conduct the 'Adal Padal' Cultural programme on 21.04.2023 in connection with Thiruvila of Arulmigu Sri Karpagavinayagar Thirukovil situated at Alagiyanayagipuram, Pattukottai, Thanjavur District.

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 Thiruvila of Arulmigu Sri Karpagavinayagar Thirukovil situated at



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Alagiyanayagipuram, Pattukottai, Thanjavur District, is going to be held on 21.04.2023. Subsequent to the same, in order to conduct a cultural programme on 21.04.2023, they sought permission of the police by giving a representation dated 16.04.2023. But, the third 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 third 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 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.

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,



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rejection order in Na.Ka.No.95/SBC PS/2023, dated 16.04.2023, passed by the third respondent is hereby set aside. The writ petitioner is directed to file a fresh representation before the third respondent and on such representation, the third 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

Note : Issue order copy today (20.04.2023)

To

1. The Superintendent of Police,
Thanjavur, Thanjavur District.
2. The Inspector of Police, Sethupavachathiram Police Station,
Thanjavur District.
3. The Sub-Inspector of Police,
Sethupavachathiram Police Station,
Thanjavur District.



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4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J

TM

Order made in
W.P(MD)No.9234 of 2023

Dated :20.04.2023