



WP.(MD)No.9438 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2023

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THE HON'BLE MR.JUSTICE G.ILANGO VAN

WP.(MD)No.9438 of 2023

K.Balachander

...Petitioner

Vs.

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

2.The Inspector of Police,
Taluk Police Station,
Dindigul.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to give the permission for conducting Adal Padal on 21.04.2023 and give adequate police protection to be conducted in the Sri Pagavathiyamman, Sri Kaliyamman, Sri Karuppasamy in Mondiyapatti, Mullipadi Panchayat, M.M.Kovilur Post, Dindigul.

For Petitioner	: Mr.S.V.Muthusamundeeswaran
For Respondent	: Mr.R.Sureshkumar
	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 second respondent to give the permission for conducting Adal Padal on 21.04.2023 and give adequate police protection to be conducted in the Sri Pagavathiyamman, Sri Kaliyamman, Sri Karuppasamy in Mondiyapatti, Mullipadi Panchayat, M.M.Kovilur Post, Dindigul.

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, “Sri Pagavathiyamman, Sri Kaliyamman, Sri Karuppasamy” situated in Mondiyapatti, Mullipadi Panchayat, M.M.Kovilur Post, Dindigul, 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 from the police by giving a representation dated 10.04.2023. But, the second respondent



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has not considered the said representation. Since no order was passed, 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 the second respondent has received the representation of the writ petitioner and the same is pending for consideration. He further submitted that in the neighboring village a trouble arose between the two groups of people and the case in Crime No.121 of 2022 was registered and now the respondent police is apprehend the breach of peace in the locality.

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 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.



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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 also considering the submission made by the learned Government Advocate(Crl. Side), pass suitable order by taking into account the present situation in the locality. Depending upon the outcome of the representation dated 10.04.2023, the petitioner shall workout his remedy through appropriate proceedings.

7. With the above direction, this Writ Petition stands disposed of. No costs.

21.04.2023

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

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- 1.The Superintendent of Police,
Dindigul District,
Dindigul.
- 2.The Inspector of Police,
Taluk Police Station,
Dindigul.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN,J

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Order made in
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