



W.P.(MD)No.10801 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

W.P.(MD)No.10801 of 2023

Ponnuganesan

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
P-3, Koodalpudur Police Station,
Madurai City.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ Certiorarified Mandamus, calling for the records in pursuant to the impugned order in Na.Ka.No. 52/MLR/D3PS/MC/2023 dated 12.04.2023 passed by the second respondent and quash the same as illegal and consequently directing the respondents to grant permission and to provide police protection to conduct the Aadalum Paadalum” dance Programme on 30.04.2023 from 07.00 p.m to 11.00 p.m., in pursuant to the 32nd Yearly Urchava Vizha Festival of Arulmigu Sree Muniyandi Thirukoil, situated at Kamatchi Nagar 2nd street, Vilangudi, Madurai Town.



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For Petitioner : Mr.S.Mahendrapathy
For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This Writ Petition has been filed seeking a Writ of Certiorarified Mandamus, calling for the records in pursuant to the impugned order in Na.Ka.No.52/MLR/D3PS/MC/2023 dated 12.04.2023 passed by the second respondent and quash the same as illegal and consequently directing the respondents to grant permission and to provide police protection to conduct the Aadalum Paadalum” dance Programme on 30.04.2023 from 07.00 p.m to 11.00 p.m., in pursuant to the 32nd Yearly Urchava Vizha Festival of Arulmigu Sree Muniyandi Thirukoil, situated at Kamatchi Nagar 2nd street, Vilangudi, Madurai Town.

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 Additional Public Prosecutor appearing for the respondents would submit that they have already issued proceedings on



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12.04.2023 by rejecting the representation made by the writ petitioner dated 10.04.2023 for conducting the Adal and Padal stating that if the Adal and Padal is conducted in the said village, it will create a law and order problem.

4. I have considered the submission of the learned counsel appearing for the writ petitioner and the learned Additional Public Prosecutor appearing for the respondents.

5. 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.

6. 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 order passed by the second respondent dated 12.04.2023 is hereby set aside, the writ petitioner is directed to file a fresh representation by incorporating the place and time before the second respondent and on such representation, the second respondent is hereby



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directed to consider the the same and pass orders on merits and in accordance with law by following the detailed circular and guidelines issued by the Director General of Police in Rc.007301/Genl.I (1)/2019 dated 09.04.2019,

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

No costs.

28.04.2023

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

- 1.The Commissioner of Police,
Madurai City,
Madurai.
- 2.The Inspector of Police,
P-3, Koodalpudur Police Station,
Madurai City.
- 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.10801 of 2023

Dated: 28.04.2023