



W.P(MD)No.10613 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:28.04.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.10613 of 2023

Kaliyarathinam

... Petitioner

Vs.

The Inspector of Police,
South Police Station,
Cumbum,
Uthamapalayam Taluk,
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, calling for the records of the impugned proceedings of the respondent in Na.Ka.No.16/K2PS/Cumbum South Police Station/2023, dated 20.04.2023 and quash the same and consequently directing the respondent to grant permission to the petitioner to conduct the Adalum Padalum on 05.05.2023 from 7 PM to 10 PM at Maninagarm 1st Street, Cumbum, Uthmapalayam Taluk, Theni District.

For Petitioner : Mr. Balasubramanian.N

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



W.P(MD)No.10613 of 2023

ORDER

WEB COPY

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Certiorarified Mandamus, calling for the records of the impugned proceedings of the respondent in Na.Ka.No.16/K2PS/Cumbum South Police Station/2023, dated 20.04.2023 and quash the same and consequently directing the respondent to grant permission to the petitioner to conduct the Adalum Padalum on 05.05.2023 from 7 PM to 10 PM at Maninagarm 1st Street, Cumbum, Uthmapalayam Taluk, Theni District.

2. Mr.R.Suresh Kumar, learned Government Advocate (Crl. Side) takes notice for the respondent. 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 Mariamman, Maninagarm 1st Street, Cumbum, Uthmapalayam Taluk, Theni District, is going to be held on 05.05.2023. Subsequent to the same, in order to conduct a cultural programme on 05.05.2023, they sought permission of the police by giving a representation dated 19.04.2023. But, the



W.P(MD)No.10613 of 2023

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 respondent would submit that if fresh representation is given to the respondent, 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 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 in Na.Ka.No.16/K2PS/Cumbum South Police Station/2023, dated 20.04.2023, passed by the respondent is hereby set aside. The writ petitioner is directed to file a fresh representation before



W.P(MD)No.10613 of 2023

the respondent and on such representation, the 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.

28.04.2023

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

To

1. The Inspector of Police,
South Police Station,
Cumbum,
Uthamapalayam Taluk,
Theni District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P(MD)No.10613 of 2023

G.ILANGO VAN, J

Indu

Order made in
W.P(MD)No.10613 of 2023

Dated :28.04.2023