



W.P(MD)No.13134 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.13134 of 2023

Meharaja

... Petitioner

Vs.

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

2.The Sub Inspector of Police,
Gudalur North Police Station,
Gudalur,
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 pertaining to the impugned order passed by the 2nd respondent dated 25.05.2023 vide his proceedings in Na.Ka.17/Gudalur North Police Station/2023 and quash the same as illegal and violative of principles of natural justice and consequently, direct the respondents to grant permission to conduct Adal Paadal programme during Vaigasi Pongal festival scheduled to be held on 07.06.2023 at about 06.00 p.m. to be conducted at the Arulmigu Sri Pathirakaliamman temple at



W.P(MD)No.13134 of 2023

Sukkangalpatti, Keelagudalur Village, Goodalur Post, Uthamapalayam
Taluk, Theni District.

For Petitioner : Mr.S.Krishnan

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

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 2nd respondent dated 25.05.2023 vide his proceedings in Na.Ka.17/Gudalur North Police Station/2023 and quash the same as illegal and violative of principles of natural justice and consequently, direct the respondents to grant permission to conduct Adal Paadal programme during Vaigasi Pongal festival scheduled to be held on 07.06.2023 at about 06.00 p.m. to be conducted at the Arulmigu Sri Pathirakaliamman temple at Sukkangalpatti, Keelagudalur Village, Goodalur Post, Uthamapalayam Taluk, Theni District.

2. Mr.R.Suresh Kumar, learned Government Advocate (Crl. Side) takes notice for the respondents.



W.P(MD)No.13134 of 2023

3.Heard both sides.

WEB COPY

4. The learned counsel appearing for the writ petitioner submitted that festival for the temple, by name, Arulmigu Sri Pathirakaliamman temple at Sukkangalpatti, Keelagudalur Village, Goodalur Post, Uthamapalayam Taluk, Theni District, is going to be held on 07.06.2023. Subsequent to the same, in order to conduct a cultural programme on 07.06.2023, they sought permission of the police by giving a representation. 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.

5.Perusal of impugned order shows that citing some law and order issue, the representation that was made by the petitioner has been rejected. The respondent is present and stating that because of some land dispute double murder has been occurred in that place some one year back. Now the relatives of both sides are residing in that area. Apprehending breach of peace, the representation has been rejected. Since already trial process is undergone, citing the above said reason may not be proper.



W.P.(MD)No.13134 of 2023

WEB COPY

6.The petitioner is hereby directed to give fresh representation to the second respondent, with an undertaking affidavit ensuring that no law and order problem is created, within a period of one week from the date of receipt of a copy of this order. Based upon the above said undertaking affidavit, the representation shall be disposed of imposing stringent conditions immediately following the order following the order of the Hon'ble Division Bench of this Court passed in the case of ***C.Sathasivam Vs. The Superintendent of Police, Trichy District and another***, in ***W.P.(MD).No.12535 of 2023, dated 24.05.2023*** and in the light of the circular of the Director General of Police, Tamil Nadu, Chennai in Rc.007301/Genl.I (1)/2019 dated 09.04.2019.

8.With the above said directions, this writ petition stands disposed of and the rejection order that has been passed by the second respondent dated 25.05.2023 vide his proceedings in Na.Ka.17/Gudalur North Police Station/2023 is hereby set aside.

07.06.2023

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
TM



W.P(MD)No.13134 of 2023

To

WEB COPY

- 1.The Deputy Superintendent of Police,
Uthamapalayam, Theni District.
- 2.The Sub Inspector of Police,
Gudalur North Police Station,
Gudalur,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P(MD)No.13134 of 2023

G.ILANGO VAN, J

TM

Order made in
W.P(MD)No.13134 of 2023

Dated : 07.06.2023