



W.P(MD)No.13182 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.13182 of 2023
and W.M.P.(MD).No.11143 of 2023

M.Pandian

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Theni.

2.The Inspector of Police,
Allinagaram Police Station,
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 02.06.2023, in C.No.107/Mike/B2Ps/2023, dated 29.05.2023 and quash the same and direct the 2nd respondent to grant permission and necessary protection to perform the cultural program (i.e.,) Adal Padal on 07.06.2023 at 07.00 p.m. to 10.00 p.m. in the evening of “Vaigasi Thiruvizha” at “Sri Vengala Muneeshwaran Thirukovil” Vengala Nagar, Allinagaram, Theni District.



W.P(MD)No.13182 of 2023

For Petitioner : Mr.J.Krishnakumar
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 02.06.2023, in C.No.107/Mike/B2Ps/2023, dated 29.05.2023 and quash the same and direct the 2nd respondent to grant permission and necessary protection to perform the cultural program (i.e.,) Adal Padal on 07.06.2023 at 07.00 p.m. to 10.00 p.m. in the evening of “Vaigasi Thiruvizha” at “Sri Vengala Muneeshwaran Thirukovil” Vengala Nagar, Allinagaram, Theni District.

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

3.Heard both sides.

4. The learned counsel appearing for the writ petitioner submitted

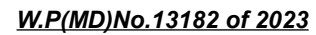


W.P(MD)No.13182 of 2023

that festival for the temple, by name, “Sri Vengala Muneeshwaran Thirukovil” Vengala Nagar, Allinagaram, 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 dated 29.05.2023. 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.The learned Government Advocate (Crl. Side) would submit that the representation that was made by the petitioner came to be rejected by the competent authority, since the condition that was imposed upon the Organizers of the event to install CCTV camera in that place was not complied.

6.Apprehending any untoward incident and in order to over come any difficulty in that place during the above said event, the above said condition seems to have been imposed by the second respondent. It is the duty of the petitioner to comply whatever conditions imposed upon them, which are reasonable in nature. Now the condition that has been



imposed upon the petitioner cannot be considered as unreasonable. The petitioner has to comply the above said condition.

7. Accordingly, the petitioner is directed to file an undertaking affidavit along with fresh representation, before the second respondent, within a week from the date of receipt of a copy of this order, stating that he will comply all the conditions whatever imposed upon them. On such filing of the undertaking affidavit and fresh representation, it may be considered by the second respondent favourably imposing reasonable conditions by 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



W.P(MD)No.13182 of 2023

dated 02.06.2023, in C.No.107/Mike/B2Ps/2023, dated 29.05.2023, is hereby set aside. Consequently, connected miscellaneous petition is closed.

07.06.2023

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

To

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



WEB COPY



W.P(MD)No.13182 of 2023

G.ILANGO VAN, J

TM

Order made in
W.P(MD)No.13182 of 2023

Dated : 07.06.2023