



W.P(MD)No.13230 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.13230 of 2023
and W.M.P.(MD).No.11178 of 2023

S.Kumaravel

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Periyakulam Circle, Theni District.

2.The Inspector of Police,
Thenkarai North Police Station,
Thenkarai,
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 01.06.2023 vide his proceedings in Na.Ka.No. 09/கா.ஆ.அ/ 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 08.06.2023 at 07.00 p.m. to 10.00 p.m. in the evening of “Thiruvizha” at “Arulmigu Mandu Karuppanasamy



W.P(MD)No.13230 of 2023

Thirukovil”, Indirapuri Theru, Thenkarai, Periyakulam Taluk, Theni District.

For Petitioner : Mr.S.Sasikumar

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 01.06.2023 vide his proceedings in Na.Ka.No.09/ கஈ.ஆ.அ/ 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 08.06.2023 at 07.00 p.m. to 10.00 p.m. in the evening of “Thiruvizha” at “Arulmigu Mandu Karuppanasamy Thirukovil”, Indirapuri Theru, Thenkarai, Periyakulam Taluk, Theni District.

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

3.Heard both sides.



W.P(MD)No.13230 of 2023

4. The learned counsel appearing for the writ petitioner submitted that festival for the temple, by name, “Arulmigu Mandu Karuppanasamy Thirukovil”, Indirapuri Theru, Thenkarai, Periyakulam Taluk, Theni District, is going to be held on 08.06.2023. Subsequent to the same, in order to conduct a cultural programme on 08.06.2023, 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.The learned Government Advocate (Crl. Side) would submit that citing that the proposed place where the above said event is going to be conducted is located in the National Highway, the above said representation was rejected by the order dated 01.06.2023. The counsel for the petitioner is ready to give fresh representation by mentioning alternative place, which will be located in an isolated area.

6.There shall be a direction to the petitioner to give fresh representation by mentioning alternative place, which may be located in



W.P.(MD)No.13230 of 2023

isolated area. If such representation is made the same may be considered and pass orders by the second respondent forthwith 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.

7. With the above said directions, this writ petition stands disposed of and the rejection order that has been passed by the second respondent dated 01.06.2023 vide his proceedings in Na.Ka.No.09/fh/M/m- 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,
Periyakulam Circle, Theni District.
2. The Inspector of Police, Thenkarai North Police Station,
Thenkarai, Theni District.



W.P(MD)No.13230 of 2023

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P(MD)No.13230 of 2023

G.ILANGO VAN, J

TM

Order made in
W.P(MD)No.13230 of 2023

Dated : 07.06.2023