



W.P(MD)No.13347 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.13347 of 2023

K.Super Pandiyan

... Petitioner

Vs.

1. The Superintendent of Police,
Office of the Superintendent of police,
Madurai District.

2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Usilampatti, Madurai District.

3. The Inspector of Police,
Usilampatti Police Station,
Madurai 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 of the 2nd respondent, dated 05.06.2023 and quash the same, subsequently, directing the respondents to grant permission for the Adal Padal in Arulmigu Sri Selvamariamman Temple on 09.06.2023.



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

ORDER

This Writ Petition has been filed to call for the records pertaining to the impugned order of the 2nd respondent, dated 05.06.2023 and quash the same, subsequently, directing the respondents to grant permission for the Adal Padal in Arulmigu Sri Selvamariamman Temple on 09.06.2023.

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 that festival for the temple, by name, Arulmigu Sri Selvamariamman Temple, was scheduled on 09.06.2023. Subsequent to the same, in order to conduct a cultural programme on 09.06.2023,



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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.

6. The learned counsel for the petitioner submitted that in the neighbouring village Keelapudur similar event was permitted on 09.06.2023.

7. However, the respondent police stated that the law and problem occurred in the Thirumogur village. But that should not be a reason for rejecting the event in Usilampatti, which is far away from the above said place. Hence, the petitioner is hereby directed to give fresh representation to the respondent concerned, with an undertaking affidavit ensuring that no law and order problem will be created, within a period of one week from the date of receipt of a copy of this order. Based upon



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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 05.06.2023 vide his proceedings in Na .Ka.119/ Ka. Thu.K/Usilai/2023 is hereby set aside.

12.06.2023

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
trp



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WEB COPY

To

1. The Superintendent of Police,
Office of the Superintendent of police,
Madurai District.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Usilampatti, Madurai District.
3. The Inspector of Police,
Usilampatti Police Station,
Madurai district.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN,J

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