



W.P(MD)No.13549 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD) No.13549 of 2023

and

W.M.P(MD) No.11432 of 2023

Pandiarajan.R

... Petitioner

Vs.

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

2. The Inspector of Police,
Veerapandi 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 05.06.2023 and quash the same and direct the 2nd respondent to grant permission and necessary protection to perform the cultural program (ie) Adal Padal on 14.06.2023 at 07.00 PM to 10.00 PM in the evening of Arul migu Pallayee Amman and 21 Thaivangal Thunai Thiruvila at Veerpandi Viya Bodinayakanur Taluk, Uppukottai, Theni District.



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For Petitioner : Mr.J.Krishna Kumar

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 05.06.2023 and quash the same and direct the 2nd respondent to grant permission and necessary protection to perform the cultural program (ie) Adal Padal on 14.06.2023 at 07.00 PM to 10.00 PM in the evening of Arul migu Pallayee Amman and 21 Thaivangal Thunai Thiruvila at Veerpandi Viya Bodinayakanur Taluk, Uppukottai, Theni District.

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

3.Heard both sides.



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4. The learned counsel appearing for the writ petitioner submitted that festival for the temple, by name, “Arul migu Pallayee Amman and 21 Thaivangal Thunai Thiruvila at Veerpandi Viya Bodinayakanur Taluk, Uppukottai, Theni District”, is going to be held on 14.06.2023. Subsequent to the same, in order to conduct a cultural programme on 14.06.2023, 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, after getting permission from this Court, permission may be granted to the petitioner by the second respondent.

6. The learned Government Advocate (Crl.Side) appearing for the respondents police submitted that the respondents police are ready to consider the petitioner's representation, if the petitioner give a fresh representation by incorporating alternative place for conducting cultural programme.



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7. The second respondent Police is present before this Court and state that no such previous occurrence took place in the village, when the similiary event was conducted in the yester years.

8. At this juncture, the learned counsel appearing for the writ petitioner would submit that they are ready to give a fresh representation before the concerned respondent police by incorporating place.

9. The petitioner is hereby directed to give fresh representation to the second respondent by incorporating place and on such representation, the second respondent is hereby directed to consider the same and pass orders 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.



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10. 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 is hereby set aside. Consequently, connected Miscellaneous Petition is closed.

09.06.2023

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

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To

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



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G.ILANGO VAN,J

Indu

Order made in
W.P(MD)No.13549 of 2023

Dated : 09.06.2023