



W.P(MD)No.13904 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.13904 of 2023

V.S.Pandian

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
Samayanallur Sub Division,
Madurai District.

2.The Inspector of Police,
Vadipatty 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 to call for the records pertaining to the impugned order bearing Na.Ka.No. 02/Se.Mu.Aa/2023, dated 07.06.2023 on the file of the 2nd respondent and quash the same as illegal and consequently, direct the respondents to grant permission and necessary protection to perform the cultural programme i.e., Adal Pdai Progame on 22.06.2023 at 7.00 pm to 10.00 pm in “ Arulmigu Selvavinayagar”, Sri Muthalamman Sri Kaliyamman Temple at Kattakkulam, Vadipatty Taluk, Madurai District.

For Petitioner : Mr. R.Shankar Ganesh



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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 bearing Na.Ka.No.02/Se.Mu.Aa/2023, dated 07.06.2023 on the file of the 2nd respondent and quash the same as illegal and consequently, direct the respondents to grant permission and necessary protection to perform the cultural programme i.e., Adal Pdal Programe on 22.06.2023 at 7.00 pm to 10.00 pm in “Arulmigu Selvavinayagar”, Sri Muthalamman Sri Kaliyamman Temple at Kattakkulam, Vadipatty Taluk, Madurai 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 that festival for the temple, by name, “Arulmigu Selvavinayagar”, Sri Muthalamman Sri Kaliyamman Temple at



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Kattakkulam, Vadipatty Taluk, Madurai District, was scheduled on 22.06.2023. Subsequent to the same, in order to conduct a cultural programme on 22.06.2023, 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.

6. Considering the fact that there is no specific reason for rejecting the above said request, the petitioner is hereby directed to give fresh representation to the respondent concerned, 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,***



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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 07.06.2023 vide his proceedings in Na.Ka.No.02/Se.Mu.Aa/2023, is hereby set aside.

14.06.2023

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



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To

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1. The Superintendent of Police,
Thirunelveli District,
2. The Inspector of Police,
Pathamadai Police Station,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN,J

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