



W.P.(MD)No.16889 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.16889 of 2023

Murugan

... Petitioner

Vs

1.The Superintendent of Police,
Tirunelveli District, Tirunelveli.

2.The Deputy Superintendent of Police,
Nanguneri Range, Tirunelveli District.

3.The Inspector of Police,
North Vijayanarayanapuram Police Station,
Tirunelveli District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the second respondent in ந.க.எண்: 54 /கா.து.க./நான்குநேரி/2023 dated 06.07.2023 and quash the same as illegal and consequently direct the second respondent to grant necessary permission and provide adequate police protection for conducting the Adal Padal Program on 17.07.2023 at about 07.00 p.m., to 10.30 p.m., and Karakattam as part of Temple festival of Arulmigu Shri Sivan Parvathi Amman Temple function at Kadankulam Village, Nanguneri Taluk, Tirunelveli District.



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For Petitioner : Mr.K.Sivabalan

For R-1 to R-3 : Mr.B.Thanga Aravindh
Government Advocate (Criminal side)

ORDER

This Writ Petition is filed seeking for a direction to respondent No.2 / Police to give permission for conducting Adal Padal Programme on 17.07.2023 between 07.00 p.m., to 10.30 p.m., and Karakattam at Arulmigu Shri Sivan Parvathi Amman Temple function at Kadankulam Village, Nanguneri Taluk, Tirunelveli District.

2. It is submitted by learned counsel for the petitioner that all the villagers have given a representation to the Police on 01.07.2023 seeking to grant permission and also to provide sufficient police protection. However, the said request was rejected by respondent No.2 / Police alleging that there is a likelihood of law and order problem. The petitioner has pointed out that every year, the villagers have been conducting the said programme and every year, it has become the habit for the police to refuse the request of the petitioner, for which, the villagers have been approaching this Court and directions have been given to the police by this Court, then only, the police have been granting permission. The petitioner enclosed the copies of the orders passed in the previous years to this Court.



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3. Learned Government Advocate (Criminal Side) submits that in case, fresh application is given, the third respondent will consider to grant of permission. The same is recorded.

4. With these observations, this Writ Petition is disposed of by directing the petitioner to file a fresh application and on filing of such application, the respondent police is directed to consider the same sympathetically keeping in view of the fact that the villagers have been performing the programme that there were no untoward incidents happened in the earlier. In case, if permission is given, the police have to incorporate all the conditions which are required to be followed vide proceedings in Rc.007301/Genl.(1)/2019 dated 09.04.2019. No costs.

14.07.2023

NCC:yes/no
Index:yes/no
Internet:yes/no

tsg



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DR.D.NAGARJUN, J.

tsg

To

- 1.The Superintendent of Police,
Tirunelveli District, Tirunelveli.
- 2.The Deputy Superintendent of Police,
Nanguneri Range, Tirunelveli District.
- 3.The Inspector of Police,
North Vijayanarayanapuram Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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