



W.P.(MD) No.18044 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2023

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THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD) No.18044 of 2023

Rajkumar

... Petitioner

/vs./

**1.The Superintendent of Police,
Madurai District.**

**2.The Inspector of Police,
Thirunagar Police Station,
Thirunagar,
Madurai 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 order as made in Na.Ka.No.188/W1 L and O PS/MC/2023 dated 22.07.2023 passed by the 2nd respondent and quash the same as illegal and consequently pass an order to conduct the Aadal Paadal program at 07.00 pm to 11.00 pm on 31.07.2023 in Thanakkankulam Village, Madurai District forthwith.

For Petitioner : Mr.K.Prabakaran

For Respondents : Mr.B.Thanga Aravindh

Government Advocate (Crl.side)



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ORDER

This petition is filed seeking to set aside the order passed by the respondent No.2 police in Na.Ka.No.188/W1 L and O PS/MC/2023 dated 22.07.2023 and to grant permission to the petitioner to conduct the Aadal Paadal program on 31.07.2023 at 07.00 pm to 11.00 pm in Thanakkankulam Village, Madurai District.

2.It is submitted by the learned counsel that the petitioner has been conducting the Aadal Paadal programme every year in Arulmighu Rakkachiamman Kovil, which is very ancient temple. It is submitted further that the said programme is being conducted continuously for the last 48 years by constituting a committee, by name Kovil Festival Committee and in order to conduct the festival, a representation was given to the respondent police. However, the same was declined as per the proceedings of the respondent No.2 police in Na.Ka.No.188/W1 L and O PS/MC/2023 dated 22.07.2023. Therefore, sought for setting aside the said order and issuing suitable directions to the respondent police.



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3.The learned Government Advocate (Crl.side) on the other hand submits that when the programme was conducted last year, there was misuse with the other groups in respect of conducting of the festival and on account of the intervention of the police, the peace was prevailed. It is submitted further that the petitioner is intending to perform the festival on 31.07.2023, whereas the rival group is also intending to perform the festival on the following date ie., 01.08.2023. In respect of the volume of the mike and directions, there are disputes between the two groups, basing on which the permission was rejected by the police in order to avoid the law and order issue. The issue raised by the learned Government Advocate (Crl.side) between the two groups can certainly be resolved by asking them to choose two different dates with the gap of atleast two days and also imposing certain conditions in respect of volume of the mike, directions etc.,

4.Considering the same, the petitioner is directed to appear before the respondent police and file an application afresh, on which the respondent police are directed to fix two different dates, which does not cause any annoyance



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among the group and provide permission by incorporating the guidelines issued vide proceedings in Rc.007301/Genl.I(1)/2019 dated 09.04.2019 by the Director General of Police, Tamil nadu, which shall not cause any law and order problem in the village.

5. With the above direction, this Petition is disposed of. No costs.

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

27.07.2023

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Note : Issue order copy on 28.07.2023.

To

1. The Superintendent of Police,
Madurai District.

2. The Inspector of Police,
Thirunagar Police Station,
Thirunagar,
Madurai District.



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DR.D.NAGARJUN, J.

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