



W.P.(MD)No.18155 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 28.07.2023

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THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.18155 of 2023

M.Vijayakanth

... Petitioner

Vs

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
W1 Thirunagar Police Station,
Madurai Town.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the second respondent herein in his Na.Ka.No. 187/W1 L & O PS/MC.2023, dated 22.07.2023 and quash the same as illegal and consequent thereon directing the respondents to grant permission to the petitioner to conduct cultural program (Adal Padal) on 01.08.2023 of “Arulmigu Petchiyamman Temple” festival convened at Thanakkankulam, Thirupparankumdrum Taluk, Madurai City.

For Petitioner : Mr.N.Marimuthu

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Criminal 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.187/W1 L & O PS/MC.2023, dated 22.07.2023 and to grant permission to the petitioner to conduct the Aadal Paadal program on 01.08.2023 of “Arulmigu Petchiyamman Temple” festival convened at Thanakkankulam, Thirupparankumdrum Taluk, Madurai City.

2. It is submitted by the learned counsel that the petitioner has been conducting the Aadal Paadal programme every year in ancient Arulmighu Petchiamman Temple for the last 59 years by constituting a committee, by name Kovil Festival Committee. It is submitted further that in order to conduct the festival this year, 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.187/W1 L & O PS/MC.2023 dated 22.07.2023, therefore, sought for setting aside the said order and issuing suitable directions to the respondent police.

3. The learned Government Advocate (Crl.side) on the other hand submits that when the programme was conducted last year, there were issues with the other groups in respect of conducting of the festival and on the



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intervention of the police, issues were settled and peace was prevailed. It is submitted further that the petitioner is intending to perform the festival on 01.08.2023, whereas the rival group is also intending to perform the festival on 31.07.2023. In respect of the volume of the sound of the public address system and directions of the mike to be used in the festival, 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. It is submitted that since both the groups intends to perform the festival on two successive days, it is difficult to the Police to make sentry arrangement. 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 by imposing certain conditions in respect of volume and directions of the public address system 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 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.



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

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

To

- 1.The Commissioner of Police,
Madurai City, Madurai.
- 2.The Inspector of Police,
W1 Thirunagar Police Station,
Madurai Town.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN, J.

tsg

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