



W.P.(MD)No.19766 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.19766 of 2023

Peraiyur Maravar Pothu Uravinmurai
represented by its President,
M.Muthuvel.

... Petitioner

Vs

1.The Superintendent of Police,
O/o. Superintendent of Police,
Madurai.

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

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the second respondent dated 06.08.2023 and quash the same as illegal and consequently for a direction directing the respondents to grant permission and to provide adequate police protection for Adal Padal program scheduled to be held on 18.08.2023 at night at Pasumpon Devar Kalaiyarangam in Peraiyur Palace Road in connection with the Maha Kumbhashegam Ceremony at Arulmigu Sri Manthaiyamman Temple, Peraiyur, Madurai District, within the time period stipulated by this Court.

For Petitioner : Mr.S.Rajasekar

For R-1 & R-2 : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)

For Intervenor : Mr.J.Karmaga Kannan



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ORDER

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This Writ Petition is filed under Article 226 of the Constitution of India seeking police protection to the petitioner for conducting Aadal Paadal programme on 18.08.2023 at Pasumpon Devar Kalaiyarangam in Peraiyur Palace Road.

2. It is submitted by the learned counsel for the petitioner that the petitioner association is registered under the Tamil Nadu Societies Registration Act, 1975 on the file of the Madurai South Registrar Office, Madurai. The petitioner filed an application before the police for providing permission and protection for conducting Aadal Paadal programme during Kumbabishegam, which is being conducted from 18.08.2023 to 20.08.2023. It is submitted that the Tahsildar after giving notice to all the parties concerned including the rival party has permitted the petitioner to conduct Kumbabishegam from 18.08.2023 to 20.08.2023. It is submitted further that the police however have not passed orders providing permission and protection.

3. Mr.J.Karmega Kannan, learned counsel for the rival party (intervenor) has submitted that the matter is seized by the civil Court in O.S.No. 54 of 2017 and that the Tahsildar has passed orders without giving an opportunity for the petitioner to attend the peace committee meeting thereby, the petitioner has challenged the proceedings of the Tahsildar, dated



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10.08.2023, by way of W.P.(MD) SR.No.60478 of 2023 and it is yet to be listed for admission.

4. When the matter was taken up hearing, learned counsel for the petitioner has submitted a copy of W.P.(MD).No.20006 of 2023, dated 07th August, 2023, passed by this Court. Paragraph No.10 of the said order is extracted hereunder:

“10.Considering the facts and circumstances of the case, this Court is issuing the following interim directions:

i) The Kumbabhisehekam festival shall be conducted as scheduled on 20.08.2023.

ii) The first respondent / Tahsildar and the third respondent / Inspector of Police, Peraiyur Police Station, shall conduct the Kumbabhishekam Festival, in a peaceful manner and shall ensure that all the parties are given due representation to have their dharsan. There shall not be any first honour to anybody during the festival.

iii) The petitioner shall deposit a sum of Rs. 5,00,000/- before the first respondent / Tahsildar.

iv) The Tahsildar shall maintain the amount in a separate account and shall utilize the same for the purpose of meeting out the expenses, if any, for conducting the Kumbabhishekam festival.



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v). *The Tahsildar shall return the balance amount along with the details of expenditure to the petitioner, after the conduct of the festival.*

vi). *The petitioner and the fifth respondent shall co-operate for the conduct of the Kumbabhishekam in a peaceful manner by the Tahsildar.”*

5. Considering the above, the respondent Police are directed to consider the representation of the petitioner, dated 01.08.2023 and permit them to conduct the Adal Padal Programme on 18.08.2023, provided both of them under the supervision of Tahsildar, as directed in that writ petition.

6. In view of the above, the Writ Petition is disposed of. No costs.

18.08.2023

NCC:yes/no

Index:yes/no

Internet:yes/no

tsg

To

1.The Superintendent of Police,
O/o. Superintendent of Police,
Madurai.

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

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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