



W.P.(MD)No.20366 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.08.2023**

CORAM

THE HON'BLE DR.JUSTICE D.NAGARJUN

W.P.(MD) No.20366 of 2023

S.Murugan

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.

3.The Inspector of Police,
Poovanthi Police Station,
Sivagangai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the Impugned order dated 12.08.2023 in Na.Ka.No.10/2023 passed by the 3rd respondent and quash the same as illegal consequently direct the respondents to grant permission to conduct dance and song program on 30.08.2023 at 7.00 pm in Shree Azhagiya Meenal Amman Thirukovil, Kanakkankudi village, Sivagangai District.



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W.P.(MD)No.20366 of 2023

For Petitioner : Mr.R.Ramadurai
For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)

ORDER

This Writ Petition is filed under Article 226 of the Constitution of India seeking for a direction to the respondent police to consider the representation of the petitioner dated 09.08.2023 by setting aside the orders passed on 12.08.2023, through which the respondent No.3 has declined to grant the permission to the petitioner to conduct the Aadal Paadal programme.

2.It is submitted by the learned counsel for the petitioner that the villagers have been conducting the Aadal Paadal programme since long time in the temple, called Shree Azhagiya Meenal Amman Thirukovil, situated at Kanakkankudi village, Sivagangai District. In the year 2022, the Aadal Paadal programme was not conducted, though the temple festival was allowed to be conducted. It is submitted further that there is no rivalry among the villagers and all the villagers together intend to conduct the Aadal Paadal programme, but the respondent police on erroneous consideration have refused to grant the permission.



W.P.(MD)No.20366 of 2023

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3.The learned Government Advocate (Crl.side) on the other hand submits that in the Enathi village, which is situated about 1½ kms away from the Kanakkankudi Village, where the Aadal Paadal programme is scheduled to be conducted, there were issues among the groups and in the year 2021, the villagers have revolted against the police and law and order issue took place and in case if the permission is granted for conducting the Aadal Paadal programme, the people belong to Enathi village would attend the same and would create law and order problem, thereby the permission is declined.

4.The learned counsel for the petitioner submits that the petitioner will undertake to see that no untoward incident is happened and there are disputes among the villagers, where the programme is being conducted.

5.Taking into consideration of the submissions made by the learned counsel on either side and on perusal of the records, the petitioner is directed to file a fresh application before the respondent No. 2 police, on which the respondent No.2 police are directed to consider



W.P.(MD)No.20366 of 2023

the same and grant the permission to the petitioner to conduct the Aadal Paadal programme, in case if the situation is conducive. In case if the respondent No.2 police suspects that there is likelihood of arising of law and order issue on account of this programme, the respondent No.2 police is at liberty to reject the request of the petitioner outright.

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

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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22.08.2023

Note : Issue order copy on 23.08.2023

To

1. The Superintendent of Police,
Sivagangai,
Sivagangai District.
2. The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.
3. The Inspector of Police,
Poovanthi Police Station,
Sivagangai District.

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W.P.(MD)No.20366 of 2023

DR.D.NAGARJUN,J

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W.P.(MD)No.20366 of 2023

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