



W.P.(MD) No.20685 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.08.2023

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THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD) No.20685 of 2023

T.Thanga Sivaramalingam

... Petitioner

/vs./

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

**2.The Deputy Superintendent of Police,
Tiruchendur Sub-Division,
Tiruchendur, Thoothukudi District.**

**3.The Inspector of Police,
Arumuganeri Police Station,
Arumuganeri, Thoothukudi 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 3rd respondent in his proceedings in C.No.12/F3PS/TUT/2023 dated 06.08.2023 and quash the same as illegal, consequently, direct the Respondents to permit the petitioner to conduct “Adal Padal” on 31.08.2023 during the festival of Arulmigu Sri Uchimahali Amman Temple, Uchimahali Amman Kovil Street, Kayalpattinam, Thoothukudi District.



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For Petitioner : Mr.N.Pragalathan
For Respondents : Mr.B.Thanga Aravindh
Government Advocate (criminal side)

ORDER

This Writ Petition is filed under Article 226 of the Constitution of India seeking for a direction to the respondent police to conduct the Aadal Paadal programme on 31.08.2023 in connection with the festival of Arulmigu Sri Uchimahali Amman Temple situated at Uchimahali Amman Kovil Street, Kayalpattinam, Thoothukudi District.

2.The learned Government Advocate (Crl.side) submits that there is severe law and order problem and two FIRs are pending in respect of the administration of the temple, of which one was already closed and one is still pending and if permission is given, there is every likelihood that law and problem may arise, thereby the police have declined to grant the permission. However, learned counsel for the petitioner submits that the petitioner and the rival parties are jointly intending to conduct the festival.



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3.Considering the submissions made by the learned counsel on either side and after recording the apprehension of the learned Government Advocate (Crl.side), this petition is disposed of directing the petitioner to approach the respondent police along with rival parties and file a fresh application, on which the respondent police after making thorough enquiry and in case if there is no possibility of untoward incident likely to be happened, then dispose of the same and grant the permission by imposing the usual conditions, considering the fact that the programme is scheduled on 31.08.2023. No costs.

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

25.08.2023

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To

- 1.The Superintendent of Police,
Thoothukudi District, Thoothukudi.
- 2.The Deputy Superintendent of Police,
Tiruchendur Sub-Division,
Tiruchendur, Thoothukudi District.

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3.The Inspector of Police,
Arumuganeri Police Station,
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DR.D.NAGARJUN, J.

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