



W.P.(MD)No.20867 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.20867 of 2023

Moorthy

... Petitioner

Vs

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

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

3.The Inspector of Police,
Thiruppachethi Police Station,
Sivagangai 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 pertaining to the impugned order, dated 21.08.2023, vide proceedings in Na.Ka.No. 11/Ka.Aa/Thiruppachethi/2023, passed by the third respondent and quash the same as illegal and consequently direct the respondents herein to grant permission for conducting cultural program (Adal Padal) on 30.08.2023 from 07.00 P.M. to 10.00 P.M. in pursuance to Mullaippari Festival of Arulmigu Vadakkuva Selvi Uthama Meenakshi Amman Temple, situated at Malavaryanendhal Village, Thiruppachethi Post, Thiruppuvanam Taluk, Sivagangai District.



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For Petitioner : Mr.C.Senthil Murugan

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 Certiorarified Mandamus directing the respondent Police to permit the petitioner to conduct cultural program (Adal Padal) on 30.08.2023 from 07.00 P.M. to 10.00 P.M. in pursuance to Mullaippari Festival of Arulmigu Vadakkuva Selvi Uthama Meenakshi Amman Temple, situated at Malavaryanendhal Village, Thiruppachethi Post, Thiruppuvanam Taluk, Sivagangai District, by setting aside the orders passed by the respondent Police vide proceedings in Na.Ka.No.11/Ka.Aa/Thiruppachethi/2023, dated 21.08.2023.

2.. It is the case of the petitioner that since long time, the villagers have been performing Adal Padal and this year also, the villagers have decided to conduct the programme on 30.08.2023 at 07.00 P.M. to 10.00 P.M in pursuance to Mullaippari Festival. However, the respondent Police rejected the representation of the petitioner, dated 21.08.2023.



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3. Learned Government Advocate (Criminal Side), on the other hand, submits that the respondent Police though in usual course has rejected the request of the petitioner, now, intending to grant permission, in case, if the petitioner makes fresh representation, the respondent Police are prepared to consider the request by imposing the guidelines issued vide proceedings in Rc. 007301/Genl.I (1)/2019, dated 09.04.2019.

4. Considering the submissions made by the learned counsel for the petitioner and also the learned Government Advocate (criminal Side), this Writ Petition is disposed of, directing the petitioner to approach the respondent Police and file fresh application, on which, the respondent Police are directed to consider the same and pass orders by imposing the guidelines issued vide proceedings in Rc.007301/Genl.I (1)/2019, dated 09.04.2019. No costs.

29.08.2023

NCC:yes/no

Index:yes/no

Internet:yes/no

tsg

Note : Issue Order Copy by 30.08.2023



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DR.D.NAGARJUN, J.

tsg

To

- 1.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 2.The Deputy Superintendent of Police,
Manamadurai Range,
Sivagangai District.
- 3.The Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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29.08.2023