



W.P.(MD)No.22223 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.22223 of 2023

and

W.M.P.(MD).No.18504 of 2023

Mayathevan @ Thottamayee

... Petitioner

Vs

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

2.The Deputy Superintendent of Police,
Usilampatti Sub Division,
Madurai District.

3.The Inspector of Police,
Usilampatti Taluk 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 proceedings in Na.Ka.No.145/Ka.Thu.Ka/Usilai/2023 dated 07.09.2023 passed by the second respondent and quash the same and consequently, directing the respondents to grant permission and police protection to conduct the programme, namely, “Adal Padal” to be held on 13.09.2023 in Arulmighu Sri Otchandamman, Chellandiyamman Temple “Aavani Festival” in the petitioner's village, namely, Suli Otchanpatti, Thinnanatham Village, Usilampatti Taluk, Madurai District.



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For Petitioner : Mr.R.Srinivasan

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 quashment of the impugned proceedings of the second respondent dated 07.09.2023 and for a consequential direction to the respondents Police to grant permission and and protection for conducting Adal Padal programme on 13.09.2023 in Arulmighu Sri Otchandamman, Chellandiyamman Temple “Aavani Festival” in the petitioner's village, namely, Suli Otchanpatti, Thimmanatham Village, Usilampatti Taluk, Madurai District.

2. It is the case of the petitioner that the villagers have decided to conduct the programme on 13.09.2023 in the said Temple and when the petitioner and the villagers have approached the respondents Police on 06.09.2023, the respondents Police have rejected the request of the petitioner. Thereby, the present Writ Petition has been filed.

3. Learned Government Advocate (Criminal Side), on the other hand, submits that the respondents Police though in usual course have rejected the request of the petitioner, are now intending to grant permission, in case, if



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the petitioner makes fresh representation and the respondents Police are prepared to consider the request of the petitioner 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) appearing for the respondents Police, this Writ Petition is disposed of, directing the petitioner to approach the respondents Police and file fresh application, on which, the respondents 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. Consequently, the connected miscellaneous petition is closed.

13.09.2023

NCC:yes/no

Index:yes/no

Internet:yes/no

ssb

Note : Issue Order Copy by 14.09.2023



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To

- 1.The Superintendent of Police,
O/o.The Superintendent of Police,
Madurai District,
Madurai.
- 2.The Deputy Superintendent of Police,
Usilampatti Sub Division,
Madurai District.
- 3.The Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN, J.

ssb

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