

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **15.09.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

W.P.(MD) No.22485 of 2023

S.Thirupatthi

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Peraiyur Division,
Peraiyur, Madurai District.

2.The Inspector of Police,
F1, Police Station,
Peraiyur,
Madurai District.

..Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the second respondent to grant police protection and permission to conduct the Vinayakar Chathurthi festival in Sri Maariamman Thirukovil at Thummanayakenpatti Village, Peraiyur Taluk, Madurai District on 17.09.2023 and 18.09.2023 by considering the representation of the petitioner, dated 30.08.2023.

For Petitioner : Mr.I.Sri Ranganathan

For R1 & R2 : 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 mandamus to the respondent Police to grant permission and protection for conducting of Vinayagar Chathurthi festival by installing Vinayagar idol and to take procession for immersion on 17.09.2023 and 18.09.2023 as per the representation of the petitioner, dated 30.08.2023.

2. It is submitted by the learned counsel for the petitioner that every year, the villagers have been conducting the Vinayagar Chathurthi Festival. This year also, the villagers are intending to conduct the festival on 17.09.2023 and 18.09.2023 and an application has been filed before the respondent Police on 30.08.2023, so far, orders have not been passed. Therefore, sought for suitable directions.

3. Learned Government Advocate (Criminal Side) on the other hand submits that the petitioner has filed a request for permitting him to install the idol

in a place which is just adjacent to the Dharga and in the said place, in the year 2017, when an idol was installed and on account of issues, FIR was registered. It is also submitted that subsequent to the year 2017, idol was not installed at that place where the petitioner has requested. Learned counsel for the petitioner on the other hand submits as per his instructions, last year also, the idol has been installed in the place where the petitioner has been requested.

4. In view of the submissions made by both sides, the respondent Police are directed to consider the representation of the petitioner, dated 30.08.2023 and give permission to install the idol where the idol was installed last year in the Vinayagar Chathurthi Festival and the respondent Police are also directed to decide the route through which the immersion has taken out and if there are any sensitive areas, the respondent Police shall not grant permission to take the procession through that route, so that, there shall not be any untoward incident happened. The petitioner is further directed to follow the guidelines issued in G.O.Ms.No.598, dated 09.08.2018, passed by the Public (Law and Order.B) Department.

5. With this observation, this Writ Petition is disposed of. No costs.

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

15.09.2023

tsg

Note : Issue Order Copy by 15.09.2023

To

- 1.The Deputy Superintendent of Police,
Peraiyur Division,
Peraiyur, Madurai District.
- 2.The Inspector of Police,
F1, Police Station,
Peraiyur,
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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