



W.P.(MD)No.23519 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.23519 of 2023

K.Arumugan

... Petitioner

Vs

1.The Superintendent of Police,
O/o. the Superintendent of Police,
Sivagangai District.

2.The Inspector of Police,
Kalayarkoil 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 order passed by the second respondent in Na.Ka.No.55/R1-PS/INS/SVG/2023, dated 14.09.2023 and quash the same as unconstitutional and direct the second respondent to give permission and protection for conducting “Karakattam” Programme on 06.10.2023 at about 10.00 P.M. at Sri Darma Muneeswarar Temple, Oyyavandhan Village, Kalayarkoil Taluk, Sivagangai District.

For Petitioner : Mr.M.Rajarajan

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)



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ORDER

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This Writ Petition is filed under Article 226 of the Constitution of India seeking for a direction to the respondent Police to grant permission and protection for conducting “Karakattam” Programme on 06.10.2023 at about 10.00 P.M. at Sri Darma Muneeswarar Temple, Oyyavandhan Village, Kalayarkoil Taluk, Sivagangai District, by setting aside the orders passed by the second respondent, vide Na.Ka.No.55/R1-PS/INS/SVG/2023, dated 14.09.2023.

2. It is the case of the petitioner that since long time, the villagers have been performing Karakattam and this year also, the villagers have decided to conduct the programme on 06.10.2023 at about 10.00 P.M. at Sri Darma Muneeswarar Temple, Oyyavandhan Village, Kalayarkoil Taluk, Sivagangai District. However, the respondent Police rejected the representation of the petitioner, dated 14.09.2023.

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.



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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 a 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.

27.09.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
tsg

To

- 1.The Superintendent of Police,
O/o. the Superintendent of Police,
Sivagangai District.
- 2.The Inspector of Police,
Kalayarkoil Police Station,
Sivagangai 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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