



W.P.(MD)No.23844 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.09.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.23844 of 2023

and

W.M.P(MD)No.20006 of 2023

Alagumalai

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Theni,
Theni District.

2.The Inspector of Police,
Kadamalaikundu Police Station,
Theni 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 second respondent dated 23.09.2023 in Na.Ka.No. /Ka.Ne/Kadamalaikundu/2023 and quash the same and direct the second respondent to grant permission and necessary protection to perform the cultural program (ie) Adal Padal on 30.09.2023 at 07.00 p.m., to 10.00 p.m., in the evening of “Arulmigu Kanimarkaruppasamy Kovil Poratasi Thiruvila” at Duraichampuram, Aundipatti, Kamatchipuram, Kuppinayakanpatti, Theni district.

For Petitioner : Mr.J.Krishna Kumar

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



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ORDER

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This Writ Petition is filed for a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the second respondent dated 23.09.2023 in Na.Ka.No. /Ka.Ne/Kadamalaikundu/2023 and quash the same and direct the second respondent to grant permission and necessary protection to perform the cultural program (ie) Adal Padal on 30.09.2023 at 07.00 p.m., to 10.00 p.m., in the evening of “Arulmigu Kanimarkaruppasamy Kovil Poratasi Thiruvila” at Duraichampuram, Aundipatti, Kamatchipuram, Kuppinayakanpatti, Theni District.

2. It is submitted by the learned counsel for the petitioner that the petitioner has filed an application before the respondent Police seeking permission to grant permission and necessary protection to perform the cultural program (ie) Adal Padal on 30.09.2023 at 07.00 p.m., to 10.00 p.m., in the evening of “Arulmigu Kanimarkaruppasamy Kovil Poratasi Thiruvila” at Duraichampuram, Aundipatti, Kamatchipuram, Kuppinayakanpatti, Theni District. The said request was rejected vide impugned proceedings in Na.Ka.No.39/CO/SVG/2023 dated 24.09.2023. It is submitted by the learned counsel for the petitioner that the petitioner will give an undertaking that they will conduct a programme peacefully without any hindrance to peace in the society and also requested the Court to pass directions by imposing conditions,



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3. Learned Government Advocate (Criminal Side) on other hand submits that the respondent Police have no objection to grant of permission to conduct programme, subject to the guidelines issued vide proceedings in Rc. 007301/Genl.I (1)/2019, dated 09.04.2019.

4. Considering the same, the petitioner is directed to approach the police with fresh petition within one week from the date of receipt of a copy of this order, on which, the respondent police are directed to consider the same, subject to law and order problems and keeping in view of the fact that permission was earlier rejected and if conducive grant permission as per the guidelines of the police vide proceedings in Rc.007301/Genl.I (1)/2019, dated 09.04.2019.

5. This Writ Petition therefore is closed. No costs.

29.09.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
am

Note: Issue Order Copy on 29.09.2023



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To

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- 1.The Deputy Superintendent of Police,
Theni,
Theni District.
- 2.The Inspector of Police,
Kadamalaikundu Police Station,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN, J.

am

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