



W.P(MD)No.24015 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.24015 of 2023

Marisamy

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
Peraiyur,
Madurai Distirct.

2. The Sub-Inspector of Police,,
Villur Police Station,
T.Kallupatti Police Circle,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by 2nd Respondent Na.Ka.No.01/T.Kallupatti/Police Circle/2023, dated 24.09.2023, and quash the same as illegal and consequently direct the 2nd respondent to give permission and protection to perform the Aadal Padal on 11.10.2023 in respect of the temple festival of Purattasi Thiruvizha in Sree Veilugantha Amman Temple Situated at M.Puliyankulam, Thirumangalam Taluk, Madurai District.



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For Petitioner : Mr.D.Rameshkumar
For Respondents : Mr.R.M.Anbunithi,
Additional Public Prosecutor.

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by 2nd Respondent Na.Ka.No. 01/T.Kallupatti/Police Circle/2023, dated 24.09.2023, and quash the same as illegal and consequently direct the 2nd respondent to give permission and protection to perform the Aadal Padal on 11.10.2023 in respect of the temple festival of Purattasi Thiruvizha in Sree Veilugantha Amman Temple Situated at M.Puliyankulam, Thirumangalam Taluk, Madurai District.

2. Mr.R.M.Anbunithi, learned Additional Public Prosecutor takes notice for the respondents.

3.Heard both sides.



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4. The learned counsel appearing for the writ petitioner submitted that festival for the temple, by name, "Sree Veilugantha Amman Temple Situated at M.Puliyankulam, Thirumangalam Taluk, Madurai District", is going to be held on 11.10.2023. Subsequent to the same, in order to conduct a cultural programme on 11.10.2023, they sought permission of the police by giving a representation. But, the second respondent has considered and rejected the said representation. Challenging the same, the writ petitioner has come before this Court for the above said relief.

5.The second respondent Police appeared before this Court and stated that because of lack of strength of Police to provide Police protection, the above said order has been passed and there is some possibility of law and order problem in the proposed place, where the above said event is going to be conducted, the above said representation was rejected by the order vide his proceedings in Na.Ka.No. 01/T.Kallupatti/Police Circle/2023, dated 24.09.2023. The counsel for the petitioner is ready to give fresh representation by mentioning alternative place, time and date.



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6. Without assigning any reason, the petitioner's representation came to be rejected by order dated 24.09.2023 citing, the law and order issue. I find absolutely no ground mentioned in the rejection order. There shall be a direction to the petitioner to give fresh representation by mentioning the place, time and date. If such representation is made the same may be considered and pass orders by the second respondent forthwith following the order following the order of the Hon'ble Division Bench of this Court passed in the case of ***C.Sathasivam Vs. The Superintendent of Police, Trichy District and another***, in ***W.P.(MD).No. 12535 of 2023, dated 24.05.2023*** and in the light of the circular of the Director General of Police, Tamil Nadu, Chennai in Rc.007301/Genl.I (1)/2019 dated 09.04.2019.

7. With the above said directions, this writ petition stands disposed of and the rejection order that has been passed by the second respondent dated 24.09.2023, is hereby set aside.

04.10.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/ No
Indu



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- To
1. The Deputy Superintendent of Police,
Peraiyur,
Madurai Distirct.
 2. The Sub-Inspector of Police,,
Villur Police Station,
T.Kallupatti Police Circle,
Madurai District.
 3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J

Indu

Order made in
W.P(MD)No.24015 of 2023

Dated : 04.10.2023