



W.P(MD)No.23841 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.23841 of 2023

Kumar

... Petitioner

Vs.

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

2.The Inspector of Police,
Myladumparai Police Station,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for records pertaining to the impugned order passed by the 2nd respondent dated 25.09.2023 in Na.Ka.no.04/Ka.Nee/Myyladumparai/2023 and quash the same and direct the 2nd respondent to grant permission and necessary protection to perform the cultural program (ie) Adal Padal on 04.10.2023 at 07.00 PM to 10.00 PM in the evening of Arulmigu Kanimarkaruppasamy Kovil Poratasi Thiruvila at Duraichampuram, Aundipatti, Kamatchipuram, Kuppinayakanpatti, Theni District.



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For Petitioner : Mr.J.Krishna Kumar
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, calling for records pertaining to the impugned order passed by the 2nd respondent dated 25.09.2023 in Na.Ka.no.04/Ka.Nee/Myyladumparai/2023 and quash the same and direct the 2nd respondent to grant permission and necessary protection to perform the cultural program (ie) Adal Padal on 04.10.2023 at 07.00 PM to 10.00 PM in the evening of Arulmigu Kanimarkaruppasamy Kovil Poratasi Thiruvila at Duraichampuram, Aundipatti, Kamatchipuram, Kuppinayakanpatti, Theni 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, "Arulmigu Kanimarkaruppasamy Kovil Poratasi Thiruvila at Duraichampuram, Aundipatti, Kamatchipuram, Kuppinayakanpatti, Theni District", is going to be held on 04.10.2023. Subsequent to the same, in order to conduct a cultural programme on that date, 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 learned Government Advocate (Crl. Side) would submit that citing that 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 dated 25.09.2023 in Na.Ka.no.04/Ka.Nee/Myyiladumparai/2023. The counsel for the petitioner is ready to give fresh representation by mentioning place, time and date.

6. Without assigning any reason, the petitioner's representation came to be rejected by order dated 25.09.2023 citing, the law and order



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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 25.09.2023, is hereby set aside.

03.10.2023

NCC : Yes/No

Index : Yes/No

Internet : Yes/ No

Note: Issue order copy on **03.10.2023**

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To

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



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G.ILANGO VAN, J

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Order made in
W.P(MD)No.23841 of 2023

Dated : 03.10.2023