



W.P.(MD)No.23789 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 29.09.2023

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THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.23789 of 2023

and

W.M.P(MD)No.19965 of 2023

S.Murugan

... Petitioner

Vs

1.The Superintendent of Police,
Sivagangai,
Sivagangai District.

2.The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai 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 in Na.Ka.No.39/CO/SVG/2023 dated 24.09.2023 on the file of the Respondent No.2 and quash the same as illegal and consequently directing the Respondent No.2 to grant permission for conducting Temple Festival and Sri Valli Thirumana (Devotional) Drama with mike set to be held on 29.09.2023 (Friday) at 10.00 p.m., with necessary protection at Sri Sevvai Santhai Tharma Muneeshwarar Temple, Porusupatti, Kalaiyarkovil Taluk, Sivagangai District.

For Petitioner : Mr.I.Pinaygash

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 in Na.Ka.No.39/CO/SVG/2023 dated 24.09.2023 on the file of the Respondent No.2 and quash the same as illegal and consequently directing the Respondent No.2 to grant permission for conducting Temple Festival and Sri Valli Thirumana (Devotional) Drama with mike set to be held on 29.09.2023 (Friday) at 10.00 p.m., with necessary protection at Sri Sevvai Santhai Tharma Muneeshwarar Temple, Porusupatti, Kalaiyarkovil Taluk, Sivagangai 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 for conducting the Temple Festival Events and drama and cultural Programmes on 29.09.2023 at Sri Sevvai Santhai Tharma Muneeshwarar Temple, Porusupatti, Kalaiyarkovil Taluk, Sivagangai 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, if any.



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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. Since it is reported that the programme is scheduled today, learned Government Advocate (Criminal Side) undertakes to give instructions to the concerned police orally about the directions of this Court to extend the permission as directed.

29.09.2023

NCC:yes/no

Index:yes/no

Internet:yes/no

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Note: Issue Order Copy on 29.09.2023



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To

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



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DR.D.NAGARJUN, J.

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