



W.P(MD)No.24105 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.10.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.24105 of 2023

Venkatesan

... Petitioner

Vs

1. The Assistant Commissioner Of Police,
Thirupparankundram, Madurai District.

2. The Inspector of Police,
Thirunagar Police Station,
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 in Na.Ka.No.227/W1 L and O PS/MC/ 2023, dated 22.09.2023, and quash the same as illegal and consequently direct the 2nd respondent to give permission and protection to perform the Aadal Padal on 07.10.2023 in respect of the temple festival of Purattasi Pongal vizha in Sree Alagunatchiamman and Shree Ayyanar Temple situated at Vilacheri, Madurai District.

For Petitioner : Mr.S.Sathyachidambaram

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor



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ORDER

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This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Certiorarified Mandamus to quash the impugned order in Na.Ka.No.227/W1 L and O PS/MC/ 2023, dated 22.09.2023 as illegal and consequently direct the 2nd respondent to give permission and protection to perform the Aadal Padal on 07.10.2023 in respect of the temple festival of Purattasi Pongal vizha in Sree Alagunatchiamman and Shree Ayyanar Temple situated at Vilacheri, Madurai District.

2. Mr.R.M.Anbunithi, learned Additional Public Prosecutor takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The learned counsel appearing for the writ petitioner submitted that festival for the temple, by name, “Sree Alagunatchiamman and Shree Ayyanar Temple” situated at Vilacheri, Madurai District, is going to be held on 07.10.2023. Subsequent to the same, they sought permission of the police by giving a representation, dated 22.09.2023. But, the second respondent has considered and rejected the said representation. Challenging the same, the writ petitioner has come



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before this Court for the above said relief.

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4. The learned Additional Public Prosecutor appearing for the respondents would submit that there are four groups in the said village gave representations to conduct festival. Therefore, considering the rival issue between the parties, they were rejected by the respondent. However, two groups were got permission from this Court and conducted the festival. If fresh representation is given by the petitioner to the second respondent, the same will be considered.

5. I have considered the submission of the learned counsel appearing for the writ petitioner and the learned Additional Public Prosecutor appearing for the respondents. Since already two groups were granted permission and conducted the festival in a peaceful manner.

6. It is noted that the second respondent police, without considering the circular of the Director General of Police, Tamil Nadu, Chennai in Rc.007301/Genl.I (1)/2019 dated 09.04.2019, passed the impugned order.

7. In view of the circular issued by the Director General of



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Police, Tamil Nadu, Chennai in Rc.007301/Genl.I (1)/2019 dated 09.04.2019, rejection order in Na.Ka.No.227/W1 L and O PS/MC/ 2023, dated 22.09.2023, passed by the 2nd respondent is hereby set aside. The writ petitioner is directed to file a fresh representation before the second respondent and on such representation, the second respondent shall consider the same and pass suitable orders based on the above said circular and the time for conducting the cultural programme may be fixed by the concerned authority, depending upon the situation in the locality.

8. With the above directions, this Writ Petition stands disposed of. No costs.

09.10.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/ No
PNM

Note : Issue order copy on 10.10.2023

To

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1. The Assistant Commissioner Of Police,
Thirupparankundram, Madurai District.
2. The Inspector of Police,
Thirunagar Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA, J

PNM

ORDER IN
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Dated : 09.10.2023