



W.P(MD)No.24289 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.24289 of 2023

K.Subbiah

... Petitioner

Vs.

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

2.The Sub-Inspector of Police,
Kalligudi 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 pertaining to the impugned order passed by the 2nd respondent vide Nil dated 30.09.2023 and quash the same as illegal and consequently direct the 2nd respondent to grant necessary permission and provide adequate police protection for conducting the Adal Padal program on 11.10.2023 at about 06.00 P.M., to 10.00 P.M., as part of temple festival of Arulmighu Sri Alangaravalliyamman Temple function at Agathapatti Village, Kalligudi Post and Taluk, Madurai District, by considering the petitioners representation dated 26.09.2023.



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For Petitioner : Mr.S.Sabbanikarburajothi
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 pertaining to the impugned order passed by the 2nd respondent vide Nil dated 30.09.2023 and quash the same as illegal and consequently direct the 2nd respondent to grant necessary permission and provide adequate police protection for conducting the Adal Padal program on 11.10.2023 at about 06.00 P.M., to 10.00 P.M., as part of temple festival of Arulmighu Sri Alangaravalliyamman Temple function at Agathapatti Village, Kalligudi Post and Taluk, Madurai District, by considering the petitioners representation dated 26.09.2023.

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, "Arulmighu Sri Alangaravalliyamman Temple", is going to be held on 11.10.2023. 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 village, proposed place where the above said event is going to be conducted, the above said representation was rejected by the order dated 30.09.2023. 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 30.09.2023 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 30.09.2023, is hereby set aside.

06.10.2023

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

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To

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



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G.ILANGOVA, J

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Order made in
W.P(MD)No.24289 of 2023

Dated : 06.10.2023