



W.P(MD)No.24388 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.10.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.24388 of 2023

Sethu Raman

... Petitioner

Vs.

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

2.The Inspector of Police,
Usilampatti police Station,
Usilampatti, Madurai District.

3.The Sub Inspector of police,
Usilampatti Town Police Station,
Usilampatti, 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, calling for the records relating to the rejection order in Na.Ka.No. 159/Ka.Thu.Ka/Usilai/2023, dated 03.10.2023, passed by the 1st respondent and quash the same and consequently, direct the respondents to grant permission and protection to perform cultural events i.e., Adal padal program scheduled to be held on 12.10.2023,, “Purattasi Pongal



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Festival” at Sri Agarathamman Temple at Navarpatti Village, Usilampatti Taluk, Madurai District.

For Petitioner : Mr.J.Jeyaaron Raja
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This writ petitioner filed this Writ Petition challenging the rejection order in Na.Ka.No.159/Ka.Thu.Ka/Usilai/2023, dated 03.10.2023, passed by the 1st respondent and quash the same and consequently, direct the respondents to grant permission and protection to perform cultural events i.e., Adal padal program scheduled to be held on 12.10.2023,, “Purattasi Pongal Festival” at Sri Agarathamman Temple at Navarpatti Village, Usilampatti Taluk, Madurai District.

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

3.Heard both sides.

4. The learned counsel appearing for the writ petitioner submitted that festival for the temple, by name, Sri Agarathamman Temple at



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Navarpatti Village, Usilampatti Taluk, Madurai District, is going to be held on 12.10.2023. Subsequent to the same, in order to conduct a cultural programme on 12.10.2023, they sought permission of the police by giving a representation, dated 03.10.2023. But, the first 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 Additional Public Prosecutor would submit that the representation that was made by the petitioner came to be rejected by the competent authority, on the apprehension of creating law and order problem in that area. If any fresh representation is given by the petitioner, along with undertaking affidavit to the effect that the above said event will be held in peaceful manner, the same will be considered by the respondent police.

6.Accordingly, the petitioner is directed to file an undertaking affidavit along with fresh representation, before the first respondent, within a week from the date of receipt of a copy of this order, stating that he will comply all the conditions whatever imposed upon them to



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conduct the above said event in peaceful manner. On such filing of the undertaking affidavit and fresh representation, it may be considered by the second respondent favourably imposing reasonable conditions by 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 impugned rejection order issued by the 1st respondent passed in Na.Ka.No.159/Ka.Thu.Ka/Usilai/2023, dated 03.10.2023, is hereby set aside.

10.10.2023

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

To

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



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- 2.The Inspector of Police,
Usilampatti police Station,
Usilampatti, Madurai District.
- 3.The Sub Inspector of police,
Usilampatti Town Police Station,
Usilampatti, Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA, J

TM

Order made in
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Dated : 10.10.2023