



W.P(MD)No.24469 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.24469 of 2023

Ramakrishnan

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Thirumangalam,
Madurai District.

2. The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District.

3. The Sub Inspector of Police,
Sindupatti 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 on the file of the 2nd respondent in connection with the impugned rejection order passed by vide his proceedings in Na.Ka.No.22/Kaa.Aa.Thi.Thaa.Va/2023 dated 05.10.2023 and consequently direct the respondents to grant permission and necessary protection to perform the cultural programme (i.e) Adal Padal on the eve of Arulmigu Sri Manthaiyamman Temple at N.Sempatti village,



W.P(MD)No.24469 of 2023

Usilampatti Taluk, Madurai district, which is to be held on 09.10.2023 from 07.00 pm to 10.00 pm based on the petitioner's representation in person on 04.10.2023.

For Petitioner : Mr.S.Naveenkumar

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 on the file of the 2nd respondent in connection with the impugned rejection order passed by vide his proceedings in Na.Ka.No. 22/Kaa.Aa.Thi.Thaa.Va/2023 dated 05.10.2023 and consequently direct the respondents to grant permission and necessary protection to perform the cultural programme (i.e) Adal Padal on the eve of Arulmigu Sri Manthaiyamman Temple at N.Sempatti village, Usilampatti Taluk, Madurai district, which is to be held on 09.10.2023 from 07.00 pm to 10.00 pm based on the petitioner's representation in person on 04.10.2023.

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



W.P(MD)No.24469 of 2023

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 Sri Manthaiyamman Temple at N.Sempatti village, Usilampatti Taluk, Madurai district”, is going to be held on 09.10.2023. Subsequent to the same, in order to conduct a cultural programme on 09.10.2023, 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 second respondent Police appeared before this Court and stated that because of lack of strength of Police to provide Police protection, the above said order has been passed and there is some possibility of law and order problem in the proposed place, where the above said event is going to be conducted, and the above said representation has been made without proper affidavit, so that the above said representation was rejected by the order vide his proceedings in Na.Ka.No.22/Kaa.Aa.Thi.Thaa.Va/2023 dated 05.10.2023



W.P(MD)No.24469 of 2023

6. The learned counsel for the petitioner would submit that the petitioner is ready to give proper and fresh representation by enclosing affidavit and mentioning alternative place, time and date.

7. Without assigning any reason or any specific incident, the petitioner's representation came to be rejected by order dated 05.10.2023 citing, the law and order 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 alternative 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 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.



W.P(MD)No.24469 of 2023

8. With the above said directions, this writ petition stands disposed of and the rejection order that has been passed by the second respondent dated 05.10.2023, is hereby set aside.

09.10.2023

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

Indu

Note: Issue order copy on 09.10.2023.

To

1. The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Thirumangalam,
Madurai District.
2. The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District.
3. The Sub Inspector of Police,
Sindupatti Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P(MD)No.24469 of 2023

G.ILANGO VAN, J

Indu

Order made in
W.P(MD)No.24469 of 2023

Dated : 09.10.2023