



W.P(MD)No.24460 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.24460 of 2023

K.Kasinathan

... Petitioner

Vs.

1. The Superintendent of Police,
Madurai District.

2. The Deputy Superintendent of Police,
Thirumangalam Sub Division,
Thirumangalam
Madurai District.

3. The Inspector of Police,
Thirumangalam Taluk Police Station,
Thirumangalam,
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 records vide in rejected letter dated Na.Ka.no. 19/Ka.Aa.Thi.Thi.Va./2023 dated 04.10.2023 issued by the 3rd respondent and quash the same as illegal, arbitrary against the constitution of India and subsequently direct the 3rd respondent to grant permission for conducting Aadal Padal Program schedule to be held as on 11.10.2023 at 07.00 PM to 11.00 PM with police protection to the



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Temple Purattasi Pongal Vizha at Arulmigu Sri Manthaiyamman -
Vadakkuvachelviyamman Temple, situated at Madurai District.

For Petitioner : Mr.R.Sundar

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 records vide in rejected letter dated Na.Ka.no.19/Ka.Aa.Thi.Thi.Va./2023 dated 04.10.2023 issued by the 3rd respondent and quash the same as illegal, arbitrary against the constitution of India and subsequently direct the 3rd respondent to grant permission for conducting Aadal Padal Program schedule to be held as on 11.10.2023 at 07.00 PM to 11.00 PM with police protection to the Temple Purattasi Pongal Vizha at Arulmigu Sri Manthaiyamman - Vadakkuvachelviyamman Temple, situated at Madurai District.

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, “Arulmigu Sri Manthaiyamman - Vadakkuvachelviyamman Temple, situated at Madurai District”, is going to be held on 11.10.2023. Subsequent to the same, in order to conduct a cultural programme on 11.10.2023, 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, the above said representation was rejected by the order vide his proceedings in Na.Ka.no. 19/Ka.Aa.Thi.Th.Va./2023 dated 04.10.2023. The counsel for the petitioner is ready to give fresh representation by mentioning alternative place, time and date.



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6. The learned counsel for the petitioner would submit that the petitioner is ready to give fresh representation by 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 04.10.2023 citing, the law and order issue and due to lack of strength of Police. 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.



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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 04.10.2023, is hereby set aside.

09.10.2023

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

To

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



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G.ILANGO VAN, J

Indu

Order made in
W.P(MD)No.24460 of 2023

Dated : 09.10.2023