



W.P(MD)No.24505 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.24505 of 2023

WMP(MD)No.20704 of 2023

M.Chellam

... Petitioner

Vs

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

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

3. The Sub Inspector of Police,
Sindhupatti 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, calling for the records relating to the impugned order in Na.Ka.No. 20/Ka.Aa.The.Tha.Va/2023 dated 05.10.2023 passed by the 2nd respondent and quash the same as illegal and consequently direct the respondents to give necessary police protection and permit the petitioner to conduct the Adal Padal programme during on 12.10.2023 at 07.00 pm to 11.00 pm in pursuant to the Temple Festival of Arulmigu Pattatharasiamman Temple situated at Ayanmettupatti village,



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Thirumangalam taluk, Madurai District.

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For Petitioner : Mr.M.Prabhu

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 quash the impugned order in Na.Ka.No.20/Ka.Aa.The.Tha.Va/2023 dated 05.10.2023 passed by the 2nd respondent as illegal and consequently direct the respondents to give necessary police protection and permit the petitioner to conduct the Adal Padal programme during on 12.10.2023 at 07.00 pm to 11.00 pm in pursuant to the Temple Festival of Arulmigu Pattatharasiamman Temple situated at Ayanmettupatti village, Thirumangalam taluk, 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.



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3. The learned counsel appearing for the writ petitioner submitted that festival for the temple, by name, ***“Arulmigu Pattatharasiamman Temple situated at Ayanmettupatti village, Thirumangalam taluk, Madurai District”***, is going to be held on 12.10.2023. 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.

4. The learned Additional Public Prosecutor would submit that citing that 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 impugned order. If fresh representation is given by the petitioner to the second respondent, the same will be considered.



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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.

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, 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 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 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



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disposed of and the rejection order that has been passed by the second respondent is hereby set aside. No costs. Consequently, connected miscellaneous petition is closed.

10.10.2023

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

PNM

Note : Issue order copy on 11.10.2023

To

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

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

3. The Sub Inspector of Police,
Sindhupatti Police Station,
Sindhupatti, Madurai District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J

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ORDER IN

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Dated : 10.10.2023