



W.P(MD)No.24536 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.24536 of 2023

A.Sivapandi

... Petitioner

Vs

1. The Deputy Superintendent Of Police,
Thirumangalam Circle,
Madurai District.

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

3. The Sub-Inspector of Police,
Sindhupatti Police Station,
Sindhupatti,
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 pertaining to the impugned order in Na.Ka.No. 25/Ka.Aa.Thi.Tha.Va/2023 dated 05.10.2023 passed by the 2nd respondent and quash the same as illegal and consequently grant permission and necessary protection to perform the cultural program



W.P(MD)No.24536 of 2023

(ie.,) Adal Padal on 11.10.2023 at 07.00 pm to 10.00 pm in the evening of Pongal Thirivizha at Arulmigu Sri Muthuthalamman Thirukovil at Vagaikulam village, Thirumangalam taluk, Madurai District.

For Petitioner : Mr.S.Sasikumar

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.25/Ka.Aa.Thi.Thi.Va/2023 dated 05.10.2023 passed by the 2nd respondent as illegal and consequently grant permission and necessary protection to perform the cultural program (ie.,) Adal Padal on 11.10.2023 at 07.00 pm to 10.00 pm in the evening of Pongal Thirivizha at Arulmigu Sri Muthuthalamman Thirukovil at Vagaikulam 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.



W.P(MD)No.24536 of 2023

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3. The learned counsel appearing for the writ petitioner submitted that festival for the temple, by name, ***“Arulmigu Sri Muthuthalamman Thirukovil at Vagaikulam village, Thirumangalam taluk, Madurai District”***, 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.

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.



W.P.(MD)No.24536 of 2023

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 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.24536 of 2023

7. With the above said directions, this writ petition stands disposed of and the rejection order that has been passed by the second respondent is hereby set aside. No costs.

10.10.2023

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

PNM

Note : Issue order copy on 10.10.2023

To

1. The Deputy Superintendent Of Police,
Thirumangalam Circle,
Madurai District.

2. The Inspector of Police,
Thirumangalam Taluk Circle,
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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W.P(MD)No.24536 of 2023

G.ILANGO VAN, J

PNM

ORDER IN
W.P(MD)No.24536 of 2023

Dated : 10.10.2023