



W.P(MD)No.24655 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.10.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.24655 of 2023

E.Ramasamy Ambalam

... Petitioner

Vs.

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

2.The Inspector of Police,
Town Police Station,
Sivagangai,
Sivagangai 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 entire records pertaining to the proceedings of the 2nd respondent in Na.Ka.No. 39/B1PS/SVG/2023 dated 07.10.2023 and quash the same, consequently directing the respondents to permit the petitioner to conduct the Cultural Program namely Giramiya Kalai Nigalchi and Adal Padal conducted by Madhu scheduled to be held on 11.10.2023 at about 8.00 PM., on eve of the Sevvai Pongal Uchhaga Festival in Shri Manthaiyamman Amman Temple at Kottakudi Village, Sivagangai.



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For Petitioner : Mr.R.Suresh Kumar
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, calling for the entire records pertaining to the proceedings of the 2nd respondent in Na.Ka.No. 39/B1PS/SVG/2023 dated 07.10.2023 and quash the same, consequently directing the respondents to permit the petitioner to conduct the Cultural Program namely Giramiya Kalai Nigalchi and Adal Padal conducted by Madhu scheduled to be held on 11.10.2023 at about 8.00 PM., on eve of the Sevvai Pongal Uchhaga Festival in Shri Manthaiyamman Amman Temple at Kottakudi Village, Sivagangai.

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, “Shri Manthaiyamman Amman Temple at Kottakudi Village, Sivagangai”, 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.

5. The learned Government Advocate (Crl. Side) would submit that citing that there is some possibility of law and order problem, in the village, proposed place where the above said event is going to be conducted, the above said representation was rejected by the order dated 07.10.2023. The counsel for the petitioner is ready to give fresh representation by mentioning place, time and date.

6. Without assigning any reason, the petitioner's representation came to be rejected by order dated 07.10.2023 citing, the law and order issue. I find absolutely no ground mentioned in the rejection order.



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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.

7. With the above said directions, this writ petition stands disposed of and the rejection order that has been passed by the second respondent dated 07.10.2023, is hereby set aside.

11.10.2023

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

Note : Issue order copy on 11.10.2023

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To

- 1.The Superintendent of Police, Sivagangai District,
Sivagangai.
- 2.The Inspector of Police, Town Police Station,
Sivagangai, Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGOVA, J

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Order made in
W.P(MD)No.24655 of 2023

Dated : 11.10.2023