



W.P(MD)No.28177 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD) No.28177 of 2023

Sangili

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Srivilliputhur,
Virudhunagar District..

2. The Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar 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 him vide his proceedings in Na.Ka.No.53/Na.Ka.Va./Thiruvi/2023, dated 25.11.2023 and quash the same and consequently direct the respondents to grant permission and necessary protection to perform the cultural programme (ie.) Adal Padal on the eve of Arulmigu Sri Santhana Mariamman Karithigai Madha Temple festival at Kottaipatti Village, Srivilliputhur Taluk, Virudhunagar District, which is to be held on 29.11.2023 from 7.00 pm to 10.00 pm based on the petitioner's representation in person on 20.11.2023.



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For Petitioner : Mr.A.S.Vaigunth
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 him vide his proceedings in Na.Ka.No. 53/Na.Ka.Va./Thiruvi/2023, dated 25.11.2023 and quash the same and consequently direct the respondents to grant permission and necessary protection to perform the cultural programme (ie.) Adal Padal on the eve of Arulmigu Sri Santhana Mariamman Karithigai Madha Temple festival at Kottaipatti Village, Srivilliputhur Taluk, Virudhunagar District, which is to be held on 29.11.2023 from 7.00 pm to 10.00 pm based on the petitioner's representation in person on 20.11.2023.

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 Santhana Mariamman Karithigai Madha Temple festival at Kottaipatti Village, Srivilliputhur Taluk, Virudhunagar District”, is going to be held on 29.11.2023. Subsequent to the same, in order to conduct a cultural programme on 29.11.2023, 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 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.53/Na.Ka.Va./Thiruvi/2023, dated 25.11.2023.

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.



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7. Without assigning any reason or any specific incident, the petitioner's representation came to be rejected by order dated 25.11.2023 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.

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 25.11.2023, is hereby set aside.

29.11.2023

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

Indu



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- To
1. The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Srivilliputhur,
Virudhunagar District..
 2. The Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar District.
 3. 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.28177 of 2023

Dated : 29.11.2023