



W.P(MD)No.28376 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:01.12.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.28376 of 2023

M.Eswari

... Petitioner

Vs.

1.The Deputy Superintendent of Police
Office of the Deputy Superintendent of Police
Peraiyur Division
Madurai District

2. The Inspector of Police
Saptoor 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 or order or direction in the nature of writ, calling for the records pertaining to impugned order passed by the first respondent dated 28.11.2023 and quash the same, consequently directing the respondents to consider the petitioners representation dated 26.11.2023 and grant permission and provide police protection to conduct Adalum Padalum on 02.12.2023 as part of the Arulmigu Sree Kaliyamman Temple festival within the time stipulated by this Honourable Court



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For Petitioner : Mr.P.Devarajan
For Respondents : Mr.M.Sakthikumar
Government Advocate(Crl.Side)

ORDER

This writ petition has been filed by the petitioner challenging the impugned order passed by the first respondent dated 28.11.2023 and seeking consequential direction to the respondents to consider the petitioner's representation dated 26.11.2023 and grant permission and provide police protection to conduct Adalum Padalum on 02.12.2023 as part of the Arulmigu Sree Kaliyamman Temple festival

2.Mr.M.Sakthi kumar, learned Government Advocate(Crl.Side) takes notice for the respondents.

3.The learned counsel for the petitioner would submit that the representation that was made by the petitioner, seeking permission to conduct 'Adal Padal' programme during the temple festival, on 02.12.2023. The same was rejected by the first respondent stating that there will a chance to create law and order problem in that area. Challenging the same, this writ petition has been filed.



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4.The learned Government Advocate (Crl.Side) would submit that there was group rivalry between two community people during the previous year festival for which a case has been registered in Crime No. 180 of 2022 against five other person. In the above said complaint one Arun Kumar is the complainant and counter parties are Murugesan and four others. He would further submit that apprehending breach of peace the present representation was rejected by the first respondent. Let a fresh representation be made by two community people so that it can be considered by the second respondent, otherwise order passed by the first respondent shall stand.

5.The above said order is without referring to any specific issue. In view of the above said ambiguous order, the order passed by the first respondent dated 28.11.2023, is hereby set aside.

6.Let the joined fresh representation may be filed before the second respondent, within a period of one week from the date of receipt of a copy of this order. The same shall be disposed of by the second respondent immediately, on its own merits, by following the order passed



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by the Hon'ble Division Bench of this Court 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. No costs

01.12.2023

NCC : Yes/No

Index : Yes/No

Internet : Yes/ No

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Note : Issue order copy on 01.12.2023

To

1. The Deputy Superintendent of Police
Office of the Deputy Superintendent of Police
Peraiyur Division
Madurai District
2. The Inspector of Police
Saptoor Police Station
Madurai District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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G.ILANGO VAN, J

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Order made in
W.P(MD)No.28376 of 2023

Dated :01.12.2023