



W.P(MD)No.30105 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD) No.30105 of 2023

R.Ramesh Babu

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
Theni, Theni District.

2.The Inspector of Police,
Veerapandi Police Station,
Theni 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 pertaining to the impugned order passed by the 2nd respondent dated 13.12.2023 and quash the same and direct the 2nd respondent to grant permission and necessary protection to perform the cultural program i.e., Adal Padal on 10.01.2024 at 07.00 p.m to 10.00 p.m in the evening at “Sri Kalliamman Thirukovil Thiruvizha” Dharmapuri Village, Theni District.

For Petitioner : Mr. J.Krishna Kumar

For Respondents : Mr.R.M.Anbunithi,
Additional Public Prosecutor.



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ORDER

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This writ petition is filed seeking quashment of the impugned order passed by the 2nd respondent dated 13.12.2023, and direct the 2nd respondent to grant permission and necessary protection to perform the cultural program i.e., Adal Padal on 10.01.2024 from 07.00 p.m to 10.00 p.m at “Sri Kalliamman Thirukovil Thiruvizha” Dharmapuri Village, Theni District.

2. Mr.R.M.Anbunithi, learned Additional Public Prosecutor takes notice for the respondents.

3.Heard both sides.

4. The learned counsel appearing for the writ petitioner submitted that festival for the temple, by name, “Sri Kalliamman Thirukovil Thiruvizha” Dharmapuri Village, Theni District, is going to be held on 10.01.2024. Subsequent to the same, in order to conduct a cultural programme on 10.01.2024, they sought permission of the Police by giving a representation dated 13.12.2023. 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.



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5.The learned Additional Public Prosecutor would submit that the representation that was made by the petitioner came to be rejected by the competent authority, on the apprehension of creating law and order problem in that area. If any fresh representation is given by the petitioner, along with undertaking affidavit to the effect that the above said event will be held in peaceful manner, the same will be considered by the respondent police.

6.Accordingly, the petitioner is directed to file an undertaking affidavit along with fresh representation, before the first respondent, within a week from the date of receipt of a copy of this order, stating that he will comply all the conditions whatever imposed upon them to conduct the above said event in peaceful manner. On such filing of the undertaking affidavit and fresh representation, it may be considered by the second respondent favourably imposing reasonable conditions by 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.



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7. With the above said directions, this writ petition stands disposed of and impugned rejection order issued by the 1st respondent dated 13.12.2023, is hereby set aside. No costs.

19.12.2023

NCC : Yes/No

Index : Yes/No

Internet : Yes/ No

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To

1. The Deputy Superintendent of Police,
Theni, Theni District.
2. The Inspector of Police,
Veerapandi Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J

dss

Order made in
W.P(MD) No.30105 of 2023

Dated : 19.12.2023