



W.P(MD)Nos.30123 & 30046 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) Nos.30123 & 30046 of 2023

W.P(MD) No.30123 of 2023

Chandran

... Petitioner

Vs.

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

2. The Deputy Superintendent of Police,
Puliyankudi Sub Division,
Tenkasi District.

3. The Inspector of Police,
Puliyangudi Police Station,
Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 2 & 3 to grant police permission and protection for the function of Vennik Kaaladi Anniversary and procession on 20.12.2023 from 07.00 A.M to 07.00 P.M at Patchery Village, Nelkattumseval, Sivagiri Taluk, Tenkasi District.



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For Petitioner : Mr. C.Mayilvahana Rajendran
For Respondents : Mr.R.M.Anbunithi,
Additional Public Prosecutor.

W.P(MD) No.30046 of 2023

Nelkattumseval Pacheri,
Padaithalapathy Venni Kaladiyar Vagaiyara Nalasangam,
Rep by its President,
P.Pavunraj
S/o.Palsamy,
No.24, South Street, Nelkattumseval Pacheri,
Sivagiri Taluk, Tenkasi District.

... Petitioner

Vs.

1. The District Collector,
District Collectorate Officer,
Tenkasi District, Tenkasi.
- 2.The Superintendent of Police,
Tenkasi District, Tenkasi.
- 3.The Inspector of Police,
Puliyangudi Police Station,
Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 2 & 3 to grant police permission for celebrating 263 Birthday Anniversary of freedom fighter, Padaithalapathy Venni Kaladiyar at Nelkattumseval Pacheri on 20.12.2023, by considering the representation preferred by the petitioner Association dated 08.12.2023 within the time limit that may be stipulated by this Court.



W.P(MD)Nos.30123 & 30046 of 2023

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

COMMON ORDER

The writ petitioner in W.P(MD) No.30123 of 2023 filed this Writ Petition seeking for issuance of a Writ of Mandamus, to direct the respondents 2 & 3 to grant police permission and protection for the function of Vennik Kaaladi Anniversary and procession on 20.12.2023 from 07.00 A.M to 07.00 P.M at Patchery Village, Nelkattumseval, Sivagiri Taluk, Tenkasi District.

2. The writ petitioner in W.P(MD) No.30046 of 2023 filed this Writ Petition seeking for issuance of a Writ of Mandamus, to direct the respondents 2 & 3 to grant permission for celebrating 263th Birthday Anniversary of freedom fighter, Padaithalapathy Venni Kaladiyar at Nelkattumseval Pacheri, on 20.12.2023, by considering the petitioner's representation dated 08.12.2023.

3. Mr.R.M.Anbunithi, learned Additional Public Prosecutor takes notice for the respondents in both petitions.



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4. Heard both sides.

5. The learned counsel appearing for the writ petitioner in W.P(MD) No.30123 of 2023 submitted that the function of Vennik Kaaladi Anniversary, is going to be held on 20.12.2023, at Nelkattumseval Pacheri. Hence, they sought permission and protection of the Police by giving a representation on 04.11.2023. But, the second respondent has not considered same. Challenging the same, the writ petitioner has come before this Court for the above said relief.

6.The learned counsel appearing for the writ petitioner in W.P(MD) No.30046 of 2023 submitted that 263th Birthday Anniversary of freedom fighter, namely, Padaithalapathy VenniKaladiyar, is going to be held on 20.12.2023, at Nelkattumseval Pacheri. Hence, they sought permission of the Police by giving a representation on 08.12.2023. But, the first respondent has not considered same. Challenging the same, the writ petitioner has come before this Court for the above said relief.



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7.The learned Additional Public Prosecutor 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.

8. The learned counsel for the petitioners in both writ petitions would submit that on the basis of the permission granted by this Court in WP(MD)No.24757 of 2018 on 19.12.2018, for the past 5 years they celebrating the birth anniversary of Padaithalapathy Venni Kaladiyar without any law and order problem and now, they are ready to give fresh representation jointly for celebrating the above said Anniversary.

9. In view of the above, there shall be a direction to the petitioners in both writ petitions to give fresh representation jointly by mentioning the place, time and date. If such representation is made, the same may be considered and pass orders by the third 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,



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Chennai in Rc.007301/Genl.I (1)/2019 dated 09.04.2019. Further, the petitioners in both petitions are directed to comply with the condition imposed by this Court in WP(MD)No.24757 of 2018 on 19.12.2018.

10. With the above said directions, these writ petitions stand disposed of. No costs.

19.12.2023

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

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To

1. The Superintendent of Police,
Tenkasi District,
Tenkasi.
2. The Deputy Superintendent of Police,
Puliyankudi Sub Division,
Tenkasi District.
3. The Inspector of Police,
Puliyangudi Police Station,
Tenkasi District.
4. The District Collector,
District Collectorate Officer,
Tenkasi District, Tenkasi.
5. The Superintendent of Police,
Tenkasi District, Tenkasi.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA, J

dss

Order made in
W.P(MD) Nos.30123 & 30046 of 2023

Dated : 19.12.2023