



W.P(MD)No.30574 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD) No.30574 of 2023

and

W.M.P.(MD) No.26288 of 2023

Jeyabalan

... Petitioner

Vs.

State rep by its:

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

2.The Inspector of Police,
Solavanthan Circle,
Solavanthan Police Station,
Madurai District.

3.The Sub Inspector of Police,
Kadupatti 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, to call for the records of the impugned order passed by the 2nd respondent in Na.Ka.No.46/So.Ka.Va/Ma.Maa/2023 on 13.12.2023 and quash the same as illegal and arbitrary and also direction the respondents to grant



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permission and accord protection for conduct Karakattam programme on 22.12.2023 on the eve of Arul Migu Chithira Ratha vallpa Perumal kovil festival situated in Kovil Kuruvithurai Village, Madurai District.

For Petitioner :Mr.M.Chandrabose
For Respondents :Mr.R.M.Anbunithi
Addl.Public Prosecutor (Crl.side)

ORDER

This Writ Petition is filed in the nature of Writ of Certiorarified Mandamus to call for the records of the impugned order passed by the 2nd respondent in Na.Ka.No.46/So.Ka.Va/Ma.Maa/2023 on 13.12.2023 and quash the same as illegal and arbitrary and also direction the respondents to grant permission and accord protection for conduct Karakattam programme on 22.12.2023 on the eve of Arulmigu Chithira Ratha vallpa Perumal kovil festival situated in Kovil Kuruvithurai Village, Madurai District.

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 Chithira Ratha vallpa Perumal kovil festival situated in Kovil Kuruvithurai Village, Madurai District”, is going to be held on 22.12.2023. Subsequent to the same, in order to conduct a cultural programme on the eve of the same day, 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 the caste dispute arose during the cultural program in the same area earlier, on the apprehension that some similar dispute would arise if permission is granted to conduct the cultural programme, the above said representation was rejected by the order dated 13.12.2023.

6.There shall be a direction to the petitioner to give fresh representation. If such representation is made the same may be considered and pass orders by the second respondent forthwith following



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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, by imposing conditions which are reasonable.

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 13.12.2023 vide his proceedings in Na.Ka.No. 46/So.Ka.Va/Ma.Maa/2023 is hereby set aside. Connected miscellaneous petition is closed.

21.12.2023

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

Note: Issue order copy on **21.12.2023**.

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To

- 1.The Superintendent of Police,
Madurai,
Madurai District.
- 2.The Inspector of Police,
Solavanthan Circle,
Solavanthan Police Station,
Madurai District.
- 3.The Sub Inspector of Police,
Kadupatti Police Station,
Madurai District.
- 4.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.30574 of 2023



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Dated 21.12.2023