



W.P(MD)No.30755 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD) No.30755 of 2023

and

W.M.P(MD) No.26426 of 2023

Vivek

... Petitioner

Vs.

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

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 Mandamus, to call for the records of 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 direct to the respondents to grant permission and accord protection for conduct Adal Padal programme on 26.12.2023 on the eve of Arulmigu Chithira Ratha Vallapa Perumal Kovil festival situated in Kovil Kruvithurai Village, Madurai District.



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For Petitioner :Mr.M.Chandrabose

For Respondents :Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl.side)

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Certiorarified Mandamus, to call for the records of 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 direct to the respondents to grant permission and accord protection for conduct Adal Padal programme on 26.12.2023 on the eve of Arulmigu Chithira Ratha Vallapa Perumal Kovil festival situated in Kovil Kruvithurai Village, Madurai 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, “Arulmigu Chithira Ratha Vallapa



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Perumal Kovil” situated in Kovil Kuruvithurai Village, Madurai District", is going to be held from 22.12.2023 to 30.12.2023. Subsequent to the same, in order to conduct a cultural programme on 26.12.2023, 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 learned Additional Public Prosecutor (Crl. Side) would submit that citing 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.46/So.Ka.Va/Ma.Maa/2023 on 13.12.2023. The counsel for the petitioner is ready to give fresh representation by mentioning place, time and date.

6. Without assigning any reason, the petitioner's representation came to be rejected by order dated 13.12.2023 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



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mentioning the 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 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.

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, is hereby set aside. Consequently, connected Miscellaneous Petition is closed. No costs.

22.12.2023

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

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To

- 1.The Superintendent of Police,
Madurai District,
Madurai.
- 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.ILANGOVA, J

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Order made in
W.P(MD) No.30755 of 2023

Dated 22.12.2023