



Writ Petition No.6384 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.6384 of 2024

and

W.M.P.No.7098 of 2024

K.Saravanan

S/o.Kulanthaivel

... Petitioner

Vs.

1.The District Collector,
O/o.The District Collectorate,
Namakkal District.

2.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Namakkal District.

3.The Inspector of Police,
Puthuchathiram Police Station,
Namakkal District.

4.Ponnusamy
S/o.Sanmugam

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the second respondent to give police protection to conduct Thiruvizha of Arulmugu Palaiya Mariamman Thirukovil at Thirumalaipatti Village, Senthamangalam



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Taluk, Namakkal District and consequently, direct the second respondent to take necessary action against the third respondent which was failed to give the police protection as per request of the petitioner on 01.03.2024.

For Petitioner : Mr.G.Munuraj

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1 to R3]

ORDER

This writ petition has been filed seeking for issuance of a writ of mandamus directing the respondent police to act upon the representation made by the petitioner on 01.03.2024 wherein the petitioner has sought for police protection to conduct the temple festival.

2. The petitioner had earlier approached this Court and filed W.P.No.1473 of 2024. This writ petition was disposed of by an order 23.01.2024 and the relevant portion is extracted hereunder:

"6. Learned Additional Public Prosecutor, on instructions, submitted that based on the representation submitted by the petitioner, CSR No.207 of 2023 was issued. Yet another representation was made by one Ponnusamy and the same was entertained in CSR No.203 of 2023. Since it involves two groups and there was propensity of law and order problem, the dispute has been referred to the Revenue Divisional Officer, Namakkal and the same is pending.



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7. Taking into consideration the facts and circumstances of the case and also the fact that the issue is now pending before the impleaded fifth respondent, there shall be a direction to the fifth respondent to deal with the representation of the petitioner dated 08.01.2024 and take a decision strictly in accordance with law on or before 26.01.2024. Depending upon the decision taken by the fifth respondent, the date of festival can be rescheduled."

3. Pursuant to the above order, an enquiry was conducted by the Revenue Divisional Officer, Namakkal, on 25.01.2024. Certain directions were issued and the petitioner was directed to approach the police and seek for permission and he was further directed not to cause any law and order problem. Pursuant to the same, a fresh representation was made on 01.03.2024 to the police seeking for police protection. Since the same was not acted upon, the present writ petition has been filed before this Court.

4. Heard Mr.G.Munuraj, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondents 1 to 3.



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5. This Court, in an earlier order dated 20.02.2024 in W.P.No.4045 of 2024, had directed the police to act as per the conclusion arrived at by the Revenue Divisional Officer, Namakkal, dated 25.01.2024. The same shall be kept in mind by the third respondent. The petitioner is directed to make a fresh representation to the third respondent and the third respondent shall act upon the same in line with the proceedings of the Revenue Divisional Officer, Namakkal, dated 25.01.2024.

This Writ Petition is disposed of with the above terms. No costs.
Consequently, connected miscellaneous petition is closed.

11.03.2024

Note:Issue order copy by 12.03.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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To

- 1.The District Collector,
O/o.The District Collectorate,
Namakkal District.
- 2.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Namakkal District.
- 3.The Inspector of Police,
Puthuchathiram Police Station,
Namakkal District.
4. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J.

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