



W.P.No.31768 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2024

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.31768 of 2024

K.Sethu

... Petitioner

Vs.

1. The Superintendent of Police,
Superintendent of Police Office,
Kallakurichi.

2. The Sub Inspector of Police,
Rishivendayam Police Station,
Kallakurichi.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to direct the respondents 1 and 2 to grant permission to conduct the function of Arulmigu Muniswarar Swami on 29.10.2024 at survey No.272/1 at Kudalur Village.

For Petitioner : Mr.Jagul Kumar

For Respondents : Mr.S.Sugendran,
Additional Public Prosecutor



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ORDER

This petition has been filed seeking directions to the first and second respondents police to grant permission to conduct the function of Arulmigu Muniswarar Swami on 29.10.2024 at Survey No.272/1 at Kudalur Village.

2 Learned counsel for the petitioner would submit that in the petitioner's village namely Kudalur, there are more than hundred families belong to Adi Dravidar community and for many generations, they are worshipping Arulmigu Munishwarar Swami on the lake bank of Kudalur Village situated in S.No.271/2 belongs to the Government. The Villagers decided to celebrate a function to the said deity on 29.10.2024 and therefore they made representation to the respondent police on 21.09.2024 seeking police protection, but the same was not considered till date.

3 Learned Additional Public Prosecutor for the respondents police would submit that on an earlier occasion, in the year 2012, the petitioner was granted permission to conduct festival on the land in S.No.271/2, but after completion of the function, the people refused to vacate the place and they had



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been living there for a long time, which created law and order problems and hence they were forcefully evicted from the place. Considering the antecedent, now the respondent police refusing to grant permission.

4 In reply to the above said submissions made by the learned Additional Public Prosecutor, the learned counsel for the petitioner submitted that they are ready to give undertaking to vacate the premises soon after completion of the function.

5 Heard the learned counsel appearing on either side and perused the materials available on record.

6 In view of the submissions made by the learned counsel for the petitioner and since the proposed date to conduct the function has been lapsed, the petitioner is directed to give fresh representation along with the undertaking to the respondent and on such representation with the undertaking, the first respondent police is directed to consider the same and pass orders in accordance with law.



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With the above directions, the writ petition is disposed of. No costs.

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Speaking Order/Non Speaking Order
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To

1. The Superintendent of Police, Superintendent of Police Office, Kallakurichi.
2. The Sub Inspector of Police, Rishevendayam Police Station, Kallakurichi.
3. The Public Prosecutor, High Court of Madras.



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P.VELMURUGAN, J.,

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