



WP(MD)No.578 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.01.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

W.P.(MD)No.578 of 2024

Jeyaprabhu

...Petitioner

/vs./

1. The Superintendent of Police,
Sivagangai District,
Sivagangai.
2. The Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.
3. The Inspector of Police,
Thiruppachethi Police Station,
Thiruppachethi,
Sivagangai District.
4. The Revenue Divisional Officer,
Sivagangai District,
Sivagangai.



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5. The Tahsildar,

Sivagangai District,

Sivagangai.

...Respondents

***(R4 & R5, is Suo Motu impleaded, vide Court order,
dated 12.01.2024 in W.P.(MD)No.578 of 2024)***

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the third Respondent in his proceedings dated 07.01.2024 and quash the same as illegal, consequently, directing the third Respondent to grant permission and necessary protection to conduct the cultural program "Adal Padal" on 15.01.2024 at 7.00pm to 11.00pm in connection with "Pongal Vizha" of Arulmigu Sri Navaneetha Krishnan Temple, Vembathur, Sivagangai District.

For Petitioner : Mr.N.Palaniyandi

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor



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ORDER

This Petition had been filed challenging the order, dated 07.01.2024 passed by the third Respondent with the consecutive direction to grant permission and necessary protection to conduct the cultural program "Adal Padal " on 15.01.2024 at 07.00 pm to 11.00 pm in connection with "Pongal Vizha" of Sri Navaneetha Krishnan Temple at Vembathur, Sivagangai District.

2. The learned Counsel appearing for the Petitioner submitted that "Pongal Vizha" for the temple, by name, Sri Navaneetha Krishnan Temple at Vembathur, Sivagangai District is going to be held on 15.01.2024 at 07.00pm to 11.00pm. Subsequent to the same, in order to conduct a "Adal Padal" programme they sought permission of the Police by giving a representation dated 07.01.2024 to the Respondent Police. But the Respondent Police has not considered the said representation. Since no order was passed, the Petitioner has come before this Court for the above said relief.

3. The learned Counsel appearing for the Petitioner would submit that as



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the "Adal Padal" Programme is celebrated in a peaceful manner by the villagers, there will be no untoward incident on account of this celebration. He would also submit that the Petitioner is a member of the festival/organizing committee.

4. The learned Additional Public Prosecutor submitted that there were rival claims and also communal rivalry among the villagers. Therefore, the application of the Petitioner was rejected on the ground that there was communal rivalry among the villagers within a jurisdiction, where the Petitioner intends to conduct the "Adal Padal" programme. Therefore, the third Respondent refused to grant permission and sent a report to the Deputy Superintendent of Police.

5. Heard the learned Counsel for the Petitioner and the learned Additional Public Prosecutor appearing for the Respondents.

6. Considering the submission of the learned Additional Public Prosecutor, the Revenue Divisional Officer, Sivagangai and the Tahsildar, Sivagangai are *suo motu* impleaded as Respondents No.4 and 5. The Revenue Divisional Officer and the Tahsildar as Executive Magistrate shall issue summon to rival claimants



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through the Inspector of Police, Thiruppachethi Police Station, Sivagangai District and hold a Peace Committee meeting. If there is a possibility of amicable settlement, the Revenue Divisional Officer shall pass appropriate orders for conducting the Festival by specifying the time, date and venue, considering the time constraints that the Court is not sitting in the intervening Pongal holidays

7. In view of the submission made by the learned Additional Public Prosecutor, the Writ Petition is disposed of. No costs.

12.01.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No.
jbr

Note: Issue Order Copy on 12.01.2024.

TO:

1. The Superintendent of Police,
Sivagangai District,
Sivagangai.
2. The Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.

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3. The Inspector of Police,
Thiruppachethi Police Station,
Thiruppachethi,
Sivagangai District.
4. The Revenue Divisional Officer,
Sivagangai District,
Sivagangai.
5. The Tahsildar,
Sivagangai District,
Sivagangai.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

jbr

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12.01.2024