



WP(MD)No.890 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.890 of 2024

M.Santhosh

... Petitioner

/vs./

1.The Deputy Superintendent of Police,

Karur, Karur District.

2.The Inspector of Police

Aravakurichi Police Station,

Karur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for records pertaining to the impugned order passed by the 2nd Respondent dated 10.01.2024 and quash the same and direct the 2nd Respondent to grant permission and necessary protection to perform the cultural program (ie) Adal Padal on 14.01.2024 at 07.00 pm to 10.00 pm in the evening of “Thogai Murugan Avanyu Thiruvizha” at Aravakurichi Taluk, Karur District.



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For Petitioner : Mr.J.Krishna Kumar
For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

The Petitioner has filed the above Writ Petition to issue a Writ of Certiorarified Mandamus calling for records pertaining to the impugned order passed by the 2nd Respondent dated 10.01.2024 and quash the same and direct the 2nd Respondent to grant permission and necessary protection to perform the cultural program (ie) Adal Padal on 14.01.2024 at 07.00 pm to 10.00 pm in the evening of Thogai Murugan Avanyu Thiruvizha at Aravakurichi Taluk, Karur District.

2.The learned Additional Public Prosecutor takes notice for the Respondents. By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

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



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4.The learned Counsel appearing for the Petitioner would submit that as the cultural program (ie) Adal Padal is celebrated in a peaceful manner by the villagers, there will be no untoward incident on account of this Pongal Festival. He would also submit that the Petitioner is the Member of the organizing committee.

5.The learned Additional Public Prosecutor appearing for the Respondents, on instructions, would submit that based on the judgments of the Hon'ble Division Bench of this Court, the Director General of Police, Tamil Nadu/Head of State Police Force, Chennai-4, had issued Circulars in Rc.No.159539/Crime 4(3)/2018 dated 31.10.2018 and in Rc.No.007301/General-I(I)/2019, dated 09.04.2019. He would further submit that the representation of the Petitioner would be considered based on the aforesaid circulars.

6.In view of the submission made by the learned Additional Public Prosecutor, the impugned order passed by the second Respondent, dated 10.01.2024 is set aside. A direction is issued to the Respondent concerned to re-



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consider the representation of the Petitioner dated 09.01.2024 based on the aforesaid circulars appropriately. In case, there are any rival groups for the conduct of the cultural program (ie) Adal Padal, the Deputy Superintendent of Police concerned and the Inspector of Police concerned shall report the matter to the Executive Magistrate concerned and the Executive Magistrate shall decide it finally during the Court holidays. The order passed by the Executive Magistrate/ Tahsildar/ Revenue Divisional Officer, as the case may be, is binding on both parties, considering the special circumstances.

The ***Writ Petition*** is disposed of with the above directions. No costs.

12.01.2024

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

Note: Issue Order Copy on 12.01.2024.



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TO:

- 1.The Deputy Superintendent of Police,
Karur, Karur District.
- 2.The Inspector of Police
Aravakurichi Police Station,
Karur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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