



WP(MD)No.888 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.888 of 2024

and

W.M.P.(MD)No.906 of 2024

S.Sugumar

... Petitioner

/vs./

1.The Superintendent of Police

Thoothukudi, Thoothukudi District.

2.The Deputy Superintendent Of Police,

Thoothukudi Rural, Thoothukudi District.

3.The Inspector of Police,

Sipcot Police Station,

Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondents to grant permission to conduct Village Festival in connection with Pongal Festival from 15.01.2024 to 17.01.2024 by considering the representation of the Petitioner dated 10.01.2024.



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For Petitioner : Mr.S.C.Herold Singh
For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

The Petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the Respondents to grant permission to conduct Village Festival in connection with Pongal Festival from 15.01.2024 to 17.01.2024 by considering the representation of the Petitioner dated 10.01.2024.

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.

4.The learned Counsel appearing for the Petitioner would submit that as the Pongal Festival 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



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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 and 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 Writ Petition is disposed of, with a direction to the Respondent concerned to consider the representation of the Petitioner dated 10.01.2024 based on the aforesaid circulars appropriately. In case, there are any rival groups for the conduct of the Village Pongal Festival, 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/



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Tahsildar/ Revenue Divisional Officer, as the case may be, is binding on both parties, considering the special circumstances. No costs. Consequently, connected W.M.P. is closed.

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:

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Thoothukudi, Thoothukudi District.
- 2.The Deputy Superintendent Of Police,
Thoothukudi Rural, Thoothukudi District.
- 3.The Inspector of Police
Sipcot Police Station,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

Ls

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