



WP(MD)No.900 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.01.2024

CORAM:

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

W.P.(MD)No.900 of 2024

R.Aravindan

... Petitioner

/vs./

1.The Deputy Superintendent of Police,
Y.Othakadi, Madurai District.

2.The Inspector of Police,
Y.Othakadi Police Station,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 2nd Respondent dated 10.01.2024 and quash the same as illegal and consequently, grant permission and necessary protection to perform the cultural programs such Children's games event on 15.01.2024 and dance program (Adal Padal) on 16.01.2024 at 07.00 PM to 10.00 PM in Arulmigu Sri Mandaianman Thirukovil, Vovwal Thottam, Madurai District.

For Petitioner : Mr.K.Srinivasa Ragavan

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



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ORDER

The Petitioner has filed the above Writ Petition to issue a Writ of Certiorarified Mandamus to quash the impugned order passed by the second Respondent dated 10.01.2024 and for a direction to grant permission and necessary protection to perform the cultural programs such as Children's games event on 15.01.2024 and dance program (Adal Padal) on 16.01.2024 at 07.00 PM to 10.00 PM in Arulmigu Sri Mandaiamman Thirukovil, Vovwal Thottam, Madurai 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.

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



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Temple Festival. He would also submit that the Petitioner is the Member of the organizing committee.

5. When the case came up for hearing, the learned Additional Public Prosecutor appearing for the Respondents, on instructions, would submit that on 15.01.2024, 16.01.2024 and 17.01.2024, there are shortage of manpower due to holding of Jallikattu event in and around Madurai and therefore, permission was refused by the Respondent Police.

6. In the light of the submission of the learned Additional Public Prosecutor, the learned Counsel for the Petitioner seeks direction to consider alternative date. For which, the learned Additional Public Prosecutor submits that the Petitioner has to give a fresh representation to the Respondent and then, the Respondent Police will consider the same. He would further 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 also submit that if fresh representation is given by the Petitioner, it would be considered based on the aforesaid Circulars.



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7. In view of the submission made by the learned Additional Public Prosecutor, the ***Writ Petition*** is disposed of. The Petitioner is directed to give a fresh representation to the Respondent Police. On such representation, the Respondent Police shall consider the representation of the Petitioner, 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. 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,
Y.Othakadi, Madurai District.
- 2.The Inspector of Police,
Y.Othakadi Police Station,
Madurai District.
- 3.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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