



WP(MD) No.1883 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.02.2024**

CORAM:

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

W.P.(MD) No.1883 of 2024

and

W.M.P.(MD) No.1899 of 2024

S.Saravanan

... Petitioner

/vs./

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

2.The Inspector of Police,
Salaigramam Police Station,
Sivagangai 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 23.01.2024 and quash the same and direct the 2nd Respondent to grant permission and necessary protection to perform the cultural program (ie.) Adal Padal on 03.02.2024 at 07.00 pm to 10.00 pm in the evening of Arulmigu Sonnaiya Kovil Pongal Thiruvizha at Kuwayarpalayam, Ilayangudi Taluk, Sivagangai.



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

ORDER

The learned Counsel for the Petitioner submits that the Petitioner had filed this Petition seeking directions against the Respondents regarding permission to conduct the cultural programme, Aadal Paadal on 03.02.2024 between 07.00 pm and 10.00 pm of Arulmigu Sonnaiya Kovil Pongal Thiruvizha at Kuwayarpalayam, Ilayangudi Taluk, Sivagangai.

2.The learned Additional Public Prosecutor by way of reply submits that the Petition dated 23.01.2024 by the Petitioner was refused by the second Respondent on the ground that there are TASMALC shops and people, who consumed liquor, will create law and order problem regarding the cultural programme. It is his further submission that as per the circular issued by the Director General of Police, Tamil Nadu, Chennai, in Rc.007301/Genl.I(1)/2019, dated 09.04.2019 and as per G.O.Ms.No.139, Home (PoI.VIII) Dept. dated 04.03.2019, the Respondent Police undertake to provide police protection, if necessary.



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3.The learned Counsel for the Petitioner submits that the Petitioner had only sought permission and he is not seeking police protection.

4.From the refusal order, it is found that apprehending law and order problem, the second Respondent had refused to grant the permission. Therefore, the submission of the learned Counsel for the Petitioner seeking only for permission cannot be accepted, when the second Respondent had refused to grant the permission citing law and order issues due to the intoxicated people around it, where the cultural events are conducted. In the light of the specific rejection, police protection is necessary.

5.Accordingly, this Writ Petition is disposed of directing the Respondent Police to grant the permission and police protection to the Petitioner to conduct the cultural programme, Aadal Paadal on 03.02.2024 between 07.00 pm and 10.00 pm of Arulmigu Sonnaiya Kovil Pongal Thiruvizha at Kuwayarpalayam, Ilayangudi Taluk, Sivagangai. The Petitioner shall pay necessary charges of Guard Charges for the Police Personnel as per G.O.Ms.No.139, Home (PoI.VIII)



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Dept. dated 04.03.2019. No costs. Consequently, connected Miscellaneous
Petition is closed.

01.02.2024

Index : Yes / No

Internet : Yes / No

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SATHI KUMAR SUKUMARA KURUP, J.

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Order made in
W.P.(MD)No.1883 of 2024

Dated:
01.02.2024