



WP(MD) No.5275 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **06.03.2024**

CORAM:

THE HONOURABLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.(MD) No.5275 of 2024

Karthik

... Petitioner

/vs./

1.The Superintendent of Police,
Office of the Superintendent of Police,
Subramaniyapuram,
Trichy.

2.The Inspector of Police,
Kollidam Police Station,
Thiruvarangam (Tk),
Trichy District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the Respondents to grant permission to conduct festival on 08.03.2024 in the eve of Kutti Kudi Festival in Sri Maasi Periyanna Swamy Temple pursuant to the Petitioner's representations, dated 19.02.2024 and 22.02.2024 and to give necessary Police Protection to the said festival.



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For Petitioner : Ms.R.Sangeetha
For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)

ORDER

The learned Counsel for the Petitioner submitted that the Petitioner had filed this petition for issuance of Writ of Mandamus, seeking direction against the Respondents to grant permission to conduct festival on 08.03.2024 in the eve of Kutti Kudi Festival in Sri Maasi Periyanna Swamy Temple, based on the Petitioner's representations, dated 19.02.2024 and 22.02.2024 and to give necessary Police Protection to the said festival.

2. The learned Counsel for the Petitioner further submitted that the Petitioner belong to Scheduled Caste community and every year the community people in the said Village will celebrate a Kutti Kudi festival in the said Temple. As per the tradition and custom, it is one of the customary practice to conduct Sri Massi Periyanna Swamy deity rally starting from Cauvery River and reach the Temple at Kollidam River with the usual practice of playing drums and burst firecrackers. While crossing the way, it is a customary practice of saying god blessed statements. During the rally, the people, who are belonging to other



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than SC community, objects them while crossing their street saying that not to burst crackers and playing drums, for which the Petitioner seeks Police protection by way of filing this Writ Petition.

3. The learned Government Advocate (Criminal Side) on instructions of the Respondents would submit that the contention of the Petitioner cannot be accepted, since the Police had advised them not to burst crackers and play drums in villages where other caste people objects. Instead, the Petitioner violating the same, provoked the other parties which results in law and order situation. He would further submit that previously there was a case and counter case.

4. Considering the submissions of the learned Counsel for the Petitioner and the learned Government Advocate (Criminal Side), the Petitioners are directed to observe the customs in such a way it does not cause hindrance or provocation to other parties. The Respondent Police are duty bound to maintain peace in the locality. Therefore, the Respondents 1 and 2 are directed to grant permission to the Petitioner in the light of the circular issued by the Director General of Police, Tamil Nadu/Head of State Police Force, Chennai-4, in Rc.No.



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007301/General I(I)/2019, dated 09.04.2019. Also, the Petitioner shall pay necessary charges for the Police Personnel as per G.O.Ms.No.139, Home (PoI.VIII) Dept. dated 04.03.2019. The Respondents 1 and 2 are having powers either to grant permission or to withhold the permission in the event of the parties violating the circular of the Director General of Police, Tamil Nadu / Head of State Police Force, Tamil Nadu.

5. With the above direction, this Writ Petition is disposed of. No costs.

06.03.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

Nsr

Note: Issue Order Copy on 06.03.2024.

TO:

1.The Superintendent of Police,
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Subramaniyapuram,
Trichy.

2.The Inspector of Police,
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SATHI KUMAR SUKUMARA KURUP, J.

Nsr

Order made in
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06.03.2024