



WP(MD) No.5277 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **06.03.2024**

CORAM:

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

W.P.(MD) No.5277 of 2024

and

W.M.P.(MD) No.5060 of 2024

P.Tamizharasan

... Petitioner

/vs./

1.The Deputy Superintendent of Police,
Uthamapalayam Circle,
Theni District.

2.The Sub-Inspector of Police,
Thevaram Police Station,
Thevaram,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the second Respondent dated 02.03.2024 and quash the same as illegal and consequently grant permission and necessary protection to perform the cultural program (ie.,) Adal Padal on 09.03.2024 at 07.00 p.m to 10.00 p.m in the evening of "Pongal Thiruvizha" at Arulmigu Sri Pechiamman Thirukovil at Mallingapuram Village, Theni District.

For Petitioner : Mr.K.SrinivasaRagavan

For Respondents : Mr.B.Thanga Aravindh



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Government Advocate (Criminal Side)

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ORDER

The learned Counsel for the Petitioner submitted that the Petitioner had filed this petition seeking to quash the order dated 02.03.2024 passed by the second Respondent and with a consequential direction to grant permission and necessary protection to perform the cultural program (ie.,) Adal Padal on 09.03.2024 at 07.00 p.m to 10.00 p.m in the evening of "Pongal Thiruvizha" at Arulmigu Sri Pechiamman Thirukovil at Mallingapuram Village, Theni District.

2. The learned Government Advocate (Criminal Side) on instructions of the Respondents would submit that the Petitioner's representation dated 02.03.2024 was rejected. It is also his further submission that the Petitioner has to give a fresh representation to the Respondent Police today itself and on such fresh representation, the Respondents undertake to follow the circular issued by the Director General of Police, Tamil Nadu/Head of State Police Force, Tamil Nadu Chennai-4, in Rc.No.007301/General I(I)/2019, dated 09.04.2019. He also seeks payment of appropriate fee for providing Police protection, as per G.O.Ms.No.139, Home (PoI.VIII) Dept. dated 04.03.2019.

3. In the light of the submissions made by the learned Counsel for the Petitioner and the learned Government Advocate (Criminal Side), the Petitioner



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is directed to give a fresh representation by today itself (06.03.2024) before 4.00 p.m to the Respondents. On receipt of such representation, the Respondents shall consider the same in favour of the Petitioner as per the circular of the Director General of Police, Tamil Nadu / Head of State Police Force. The Petitioner shall give an undertaking that he will abide by the aforesaid circular. Considering the present situation, the Petitioner is directed not to put up any flex boards praising any religious or communal leaders provoking any communal tensions in the programme. If there are any violation in the conditions imposed by the Respondents while granting permission, the Respondents are within their power to stop the events / programme. 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.

4. With the above direction, this Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

06.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Nsr

Note: Issue Order Copy on 06.03.2024.



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TO:

- 1.The Deputy Superintendent of Police,
Uthamapalayam Circle,
Theni District.
- 2.The Sub-Inspector of Police,
Thevaram Police Station,
Thevaram,
Theni District.



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SATHI KUMAR SUKUMARA KURUP, J.

Nsr

Order made in
W.P.(MD)No.5277 of 2024

Dated:
06.03.2024