



W.P(MD)No.6410 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P(MD)No.6410 of 2024

D.Agniveeranan

... Petitioner

Vs.

**1.The Superintendent of Police,
Madurai, Madurai District.**

**2.The Deputy Superintendent of Police,
Umachikulam Sub Division,
Madurai District.**

**3.The Inspector of Police,
Y.Othakadai Police Station,
Madurai District.**

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the third Respondent in his proceedings in Na.Ka.No.44/Ka.AA/Othakadai Ka.Ni./2024, dated 07.03.2024 and to quash the same as illegal and consequently, to direct the Respondents to grant permission to conduct the “Aadal Paadal (Dance Programme)” on 25.03.2024 at about night 06.00 P.M., to 10.00 P.M., for one day to celebrate the festival in “Sri Malaisamy Temple”, which is situated in Y.Kodikulam Village,



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Y.Kodikulam Post, Madurai District on the basis of the Petitioner's representation, dated 07.03.2024.

For Petitioner : Mr.A.M.Karuppasamy
For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl. Side)

ORDER

The learned Counsel for the Petitioner submitted that this Writ Petition had been filed seeking permission to conduct Aadal Paadal programme on 25.03.2024 from 06.00 pm to 10.00 pm with regard to the festival of “Sri Malaisamy Temple”, which is situated in Y.Kodikulam Village, Y.Kodikulam Post, Madurai District on the basis of the Petitioner's representation, dated 07.03.2024.

2.It is the contention of the learned Counsel for the Petitioner that the representation of the Petitioner, dated 07.03.2024, was rejected by third Respondent by citing law and order issue. The learned Counsel for the Petitioner submitted that they are ready to give undertaking affidavit.



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3.The learned Government Advocate (Crl.side) on instructions of the Respondents 1 to 3, submitted that there are rival claims in the village regarding collection of temple taxes by two groups. One group refuses to receive temple tax from the devotees and the two groups belonged to two different castes. Therefore, there is every likelihood of breach of peace.

4.In the light of the submission made by the learned Counsel for the Petitioner and the learned Government Advocate (Crl.side), the third Respondent is directed to issue summon to both rival groups and direct them to appear before the Tahsildar, Madurai East Taluk. Considering the present situation, the election having been declared for Lok Sabha, either the Tahsildar or the Deputy Tahsildar concerned, may exercise the Magisterial power and hold peace talk. If both parties do not arrive at a compromise, the Tahsildar or Deputy Tahsildar concerned, shall even refuse to grant permission to conduct Aadal paadal. In the light of arriving at compromise, permission may be granted with stringent conditions as per the circular of the Director General of Police, Tamil Nadu/Head of State Police Force, Chennai-4, in Rc.No.007301/General I(I)/2019, dated 09.04.2019. The Magistrate may obtain undertaking from the organizers of the two groups.



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In the result, the Writ Petition is disposed of. No costs.

19.03.2024

Internet :Yes/No

Index :Yes/No

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To

1.The Superintendent of Police,
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2.The Deputy Superintendent of Police,
Umachikulam Sub Division,
Madurai District.

3.The Inspector of Police,
Y.Othakadai Police Station,
Madurai District.

4.The Tahsildar,
Madurai East Taluk, Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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