



WP(MD) No.6723 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **20.03.2024**

CORAM:

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

W.P.(MD) No.6723 of 2024

and

W.M.P.(MD).No.6238 of 2024

V.R.Gubendhiran

... Petitioner

/vs./

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

2.The Deputy Superintendent of Police,
Usilampatti, Madurai District.

3.The Inspector of Police,
Elumalai Circle, Usilampatti Taluk,
Madurai 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 impugned order passed by the second respondent dated 11.03.2024, under proceeding No.Na.Ka.No.19/Ka.Aa.A/Elumalai/2024 and to quash the same as illegal and direct the respondents to grant Permission and necessary protection to conduct the Adalum Padalum dance program in connection with Panguni Thiruvizha of Arulmigu Samayakaruppasamy Panguni Ursava Temple situated at Manathu Village, Usilampatti Taluk, Madurai District scheduled on 23.03.2024.



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For Petitioner : Mr.K.R.Laxman
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 to quash the order dated 11.03.2024, passed by the second respondent and with a consequential direction to the Respondents for granting Permission and necessary protection to conduct the Adal Padal dance program in connection with Panguni Thiruvizha of Arulmigu Samayakaruppasamy Panguni Ursava Temple situated at Manathu Village, Usilampatti Taluk, Madurai District scheduled on 23.03.2024.

2. It is the further contention of the learned Counsel for the Petitioner that the representation of the Petitioner dated 01.03.2024 was rejected by the second Respondent in his proceedings ந.க.எண்.19 / கா.ஆ.அ / எழுமலை / 2024 dated 11.03.2024, on the ground of apprehension of communal tension. Having no other way, the Petitioner approached this Court by way of filing this petition.



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3. The learned Government Advocate (Criminal Side) on instructions from the Respondents would submit that the Petitioner's representation was rejected apprehending communal tension at the time of election. 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. He also seeks payment of appropriate fee for providing Police protection.

4. In the light of the submissions made by the learned Counsel for the Petitioner and the learned Government Advocate (Criminal Side), the Petitioner is directed to give a fresh representation by today itself (20.03.2024) 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



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communal tensions in the programme. They shall also engage youth of the village as volunteers to maintain peace during cultural events. 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 appropriate charges as per the circular of the Director General of Police, Tamil Nadu / Head of State Police Force, Tamil Nadu, regarding deployment of Police personnel for Police protection.

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

20.03.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

Nsr

Note: Issue Order Copy on 20.03.2024.



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SATHI KUMAR SUKUMARA KURUP, J.

Nsr

Order made in
W.P.(MD)No.6723 of 2024

Dated:
20.03.2024