



WP(MD) No.6663 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **21.03.2024**

CORAM:

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

W.P.(MD) No.6663 of 2024
and
W.M.P.(MD).No.6201 of 2024

R.Sarathkumar

... Petitioner

/vs./

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

2.The Inspector of Police,
Sivagangai Police Station,
Sivagangai 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 2nd respondent Na.Ka.No. 08/BIPS/SVG/2024, dated 13.03.2024 and quash the same and direct the 2nd respondent to grant permission and necessary protection to perform the cultural program (ie) Adal Padal on 24.03.2024 at 07.00 PM to 10.00 PM in the evening of “Murugan Kovil Thiruvizha” at Gandhi Veethi, Sivagangai.

For Petitioner : Mr.J.Krishna Kumar

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)



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ORDER

The learned Counsel for the Petitioner submitted that the Petitioner had filed this petition to quash the order dated 13.03.2024 passed by the second respondent with a consequential direction to the second respondent for granting permission and necessary protection to perform the cultural program (ie) Adal Padal on 24.03.2024 at 07.00 PM to 10.00 PM in the evening of “Murugan Kovil Thiruvizha” at Gandhi Veethi, Sivagangai.

2. The learned Government Advocate (Criminal Side) on instructions from the Respondents would submit that the Petitioner's representation was rejected on the ground that the spot, where the cultural events was decided to be conducted is a narrow road leading to the bus stand and also buses have to turn and take reverse, which causes risk to the general public. He would further submit that the place viz., Gandhi Street, where the cultural event was intended to be held, is always crowded area. Hence, the Respondent Police refused to grant permission. He further submits that they are ready to consider, if the Petitioner take into consideration the advise of the Respondents for conducting the cultural events in a place, where the general public may not put to hardship. The learned Government Advocate (Criminal Side) also submits that the



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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.

3. 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 (21.03.2024) 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 organizers of the event shall give an undertaking that they will abide by the aforesaid circular and also co-operate with the law enforcement officer for maintaining peace in the village. Considering the present situation, the Petitioner/organizers of the event are directed not to put up any flex boards praising any religious or communal leaders provoking any 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



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to stop the events / programme. Also, the organizers of the event 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.

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

21.03.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes

Nsr

Note: Issue Order Copy on 21.03.2024.

TO:

- 1.The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.
- 2.The Inspector of Police,
Sivagangai Police Station,
Sivagangai District.



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SATHI KUMAR SUKUMARA KURUP, J.

Nsr

Order made in
W.P.(MD)No.6663 of 2024

Dated:
21.03.2024