



WP(MD) No.6993 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.03.2024**

CORAM:

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

W.P.(MD) No.6993 of 2024

M.Ayyappan

... Petitioner

/vs./

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Pudukkottai District.
- 2.The Sub Inspector of Police,
Thirupunnavasal Police Station,
Pudukkottai District.
- 3.The Tahsildar,
Avvdaiyarkoil Taluk,
Pudukkottai District.

*(R3 has been suo motu impleaded
vide order of this Court dated 22.03.2024)*

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order in Na.Ka.No.04/Thirupunnavasal PS/2024 dated 14.03.2024 passed by the 2nd respondent and quash the same and consequently direct the



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respondents to grant permission and protection to perform cultural events ie., Kummi Adi programme on 22.03.2024 and Sri Valli Thirumana Drama on 23.03.2024 scheduled to be held at the Urshavam Festival of Samayapuram Sri Muthumariyamman Sri Muthunachiyamman Temple Senganam Village, Pudukkottai District.

For Petitioner : Mr.N.Thamimulansari

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)

ORDER

The learned Counsel for the Petitioner submits that the Petitioner had filed this Petition seeking Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed in Na.Ka.No.04/Thirupunnavasal PS/2024 dated 14.03.2024 by the second Respondent, to quash the same and to direct the Respondents to grant the permission and protection to perform the cultural events ie., Kummi Adi programme on 22.03.2024 and Sri Valli Thirumana Drama on 23.03.2024 in connection with Urshavam Festival of Samayapuram Sri Muthumariyamman Sri Muthunachiyamman Temple situated at Senganam Village, Pudukkottai District.



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2.The learned Government Advocate (Crl.side), on instructions of the respondents 1 and 2, would submit that there had been two FIRs in Crime Nos.8 and 9 of 2024 pending on the file of the second Respondent registered in the month of January, 2024. The FIR arose out of the dispute in the course of Kabadi match between the two teams in the same village. After registration of the case against both the parties, there is apprehension regarding breach of peace in the village. On that ground, the representation of the Petitioner was rejected.

3.The learned Counsel for the Petitioner submits that the said occurrence is not at all connected with the temple festival. The Petitioner seeks permission only for Kummi Adi programme on 22.03.2024 and Sri Valli Thirumana Drama on 23.03.2024 with regard to Urshavam Festival of Samayapuram Sri Muthumariyamman Sri Muthunachiyamman Temple Senganam Village, Pudukkottai District.

4.The learned Government Advocate (Crl.side) further submits that if the Petitioner gives fresh representation with an undertaking from each of the members of the Organizing Committee, the Respondents 1 and 2 are ready to



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consider the same favorably in the light of the circular of the Director General of Police, Head of State Police Force, Tamil Nadu, Chennai-4, issued in Rc. 007301/Genl.I(1)/2019, dated 09.04.2019.

5.Considering the submission of the learned Government Advocate (Crl.side) that there are rival parties in the village, the Tahsildar, Avvdaiyarkoil Taluk, Pudukkottai District is *suo motu* impleaded as third respondent in this Writ Petition considering the present situation in the ensuing elections to the Lok Sabha and the modal code of conduct prevailing through out the country. The third respondent/Tahsildar, who has powers as Executive Magistrate during election time, shall convene a peace committee meeting. If both the parties agree, the third respondent may pass appropriate orders.

6.Under those circumstances, each of the members of the Organizing Committee of the events, Kummi Adi programme and Sri Valli Thirumana Drama, shall furnish an undertaking to the respondents 2 and 3 that they will abide by the conditions imposed on them with regard to the modal code of conduct as well as the circular of the Director General of Police, Head of State Police Force, Tamil



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Nadu, Chennai-4, issued in Rc.007301/Genl.I(1)/2019, dated 09.04.2019. On such undertaking, the Organizers themselves can use the service of the village youth as volunteer to assist the police personnel for maintaining the public peace regarding the temple festival. The Petitioner is directed to file fresh representation today itself. On such representation and on receipt of undertaking by each of the members of the Organizing Committee of the events, Kummi Adi programme and Sri Valli Thirumana Drama, the respondents 2 and 3 shall impose conditions as per the circular of the Director General of Police, Head of State Police Force, Tamil Nadu, Chennai-4, issued in Rc.007301/Genl.I(1)/2019, dated 09.04.2019 regarding organizing festivals and cultural events. The Organizers of the events shall pay necessary charges for deployment of police personnel for police protection, as per the circular of the Director General of Police, Head of State Police Force, Chennai-4, issued in Rc.No.193784/PAC-2/2017, dated 19.03.2019.

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

22.03.2024

Index : Yes / No
Internet : Yes / No
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Note:

- i) Registry is directed to carryout necessary amendment and*
- ii) Issue fresh order copy on 22.03.2024*

TO:

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Pudukkottai District.
- 2.The Sub Inspector of Police,
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SATHI KUMAR SUKUMARA KURUP, J.

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Order made in
W.P.(MD)No.6993 of 2024

Dated:
22.03.2024