



WP(MD) No.7366 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **25.03.2024**

CORAM:

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

W.P.(MD) No.7366 of 2024

S.Sasikumar

... Petitioner

/vs./

1.The Inspector of Police,
Ulagampatti Police Station,
Sivagangai District.

2.The Sub- Inspector of Police,
Ulagampatti Police Station,
Sivagangai District.

3.The Tahsildar,
Singampurai Taluk,
Sivagangai District.

... Respondents

*(R-3 is suo-moto impleaded vide order dated 25.03.2024
in W.P.(MD).No.7366 of 2024)*

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 passed by the second respondent in proceeding No.1/2024 dated 15.03.2024 and quash the same as illegal and consequently direct the respondents to grant permission and necessary police protection to conduct Adal



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Padal programme scheduled to be held on 14.04.2024 from 7.00 pm to 10.00 pm in the event of Pongal Festival of Seerangammal and Pattavan Swamy Temple situated in Velliankudipatti, Neduvayal, Singampunari Taluk, Sivagangai District.

For Petitioner : Mr.T.Veerakumar

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 seeking to quash the order dated 15.03.2024 and with a consequential direction to the respondents for granting permission and providing police protection to conduct Adal Padal programme scheduled to be held on 14.04.2024 from 7.00 pm to 10.00 pm in the event of Pongal Festival of Seerangammal and Pattavan Swamy Temple situated in Velliankudipatti, Neduvayal, Singampunari Taluk, Sivagangai District.

2. The learned Government Advocate (Criminal Side) appearing for the Respondents would submit that the representation of the Petitioner was rejected on the ground that there is a rival group in the village and there is apprehension



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of breach of peace. Since the model code of conduct for the Lok Sabha election had been notified and it is in force, the permission for conducting cultural events was refused. Also, he submits that the Tahsildar, Singampunari Taluk, Sivagangai District is to be impleaded in this case, since the model code of conduct for Lok Sabha election is in force. He would further submit that the Petitioner has to give a fresh representation 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.

3. Considering the submission of the learned Government Advocate (Criminal Side), this Court *suo motu* impleads the Tahsildar, Singampunari Taluk, Sivagangai District as 3rd Respondent in this Writ Petition.

4. In the light of the submissions of the learned Counsel for the Petitioner and the learned Government Advocate (Criminal Side), this Court is inclined to issue following directions:

(i) The Tahsildar may convene a meeting today itself with regard to organizing the event and issue appropriate orders. The Tahsildar or Deputy Tahsildar is within his power either to grant permission or reject, if the rival parties do not arrive at a conclusion.



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(ii) The second Respondent shall issue summons to the rival groups in the village to attend the peace committee meeting to be held by the Tahsildar, Singampunari Taluk or Deputy Tahsildar, since the election to the Lok Sabha is notified.

(iii) After arriving at settlement between the parties, the Tahsildar may impose conditions as per the model code of conduct regarding Lok Sabha elections.

(iv) The Petitioner is directed to give a fresh representation by today itself (25.03.2024) to the Respondent Police as well as to the Tahsildar concerned.

(v) On receipt of such representation, the Respondent Police 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.

(vi) Each of the members of the organizing committee shall give an undertaking that they will abide by the aforesaid circular and also the conditions imposed by the Tahsildar/Executive Magistrate. Since the Election Code of Conduct has come into force, it is essential for the Petitioner to get permission from the Executive Magistrate concerned.

(vii) 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.



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(viii) *The organizers of the event shall also engage youth of the village as volunteers to maintain peace during cultural events.*

(ix) *If there are any violation in the conditions imposed by the official Respondents while granting permission, the official Respondents are within their power to stop the events / programme.*

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

25.03.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes

Nsr

Note: Issue Order Copy on 25.03.2024.

TO:

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Sivagangai District.

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3.The Tahsildar,
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SATHI KUMAR SUKUMARA KURUP, J.

Nsr

Order made in
W.P.(MD)No.7366 of 2024

Dated:
25.03.2024