



W.P.(MD).No.11190 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 16.05.2024

CORAM

THE HON'BLE MR.JUSTICE P.VADAMALAI

W.P.(MD).No.11190 of 2024

K.Chelladurai

... Petitioner

Vs.

1. The Assistant Election Officer,
Sattur, Virudhunagar.

2. The Sub-Inspector of Police,
Alangulam Police Station,
Virudhunagar 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 pertaining to the impugned order passed by the 2nd respondent in his proceedings, dated 01.05.2024 and quash the same as illegal, consequently, directing the respondents to grant permission and necessary protection to conduct the Adal Padal Programme on 16.05.2024 at 07.00 pm to 10.00 pm in connection with Thiru Vizha of Arulmigu Sri Selliyaramman Thirukovil, Melanmarainadu, Vembakottai Taluk, Virudhunagar District.

For Petitioner : Mr.R.Karthic Rajan

For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



W.P.(MD).No.11190 of 2024

ORDER

WEB COPY

This Writ Petition is filed challenging the impugned order dated 01.05.2024 passed by the second respondent rejecting the petitioner's request for grant of permission to conduct Adal Padal programme on 16.05.2024 at 07.00 PM to 10.00 PM in connection with Thiru Vizha of Arulmigu Sri Selliaramman Thirukovil, Melanmarainadu, Vembakottai Taluk, Virudhunagar District.

2. The learned counsel for the petitioner, on instructions, would submit that the petitioner is willing to re-schedule the programme to another date.

3. Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor, who takes notice on behalf of the respondents, on instructions, submits that since the code of conduct is in force due to the ensuing lok sabha election, the petitioner will have to give a fresh representation to the Assistant Election Officer/first respondent with regard to the request made by him for the conduct of the Adal Padal programme.



W.P.(MD).No.11190 of 2024

WEB COPY

4. No prejudice would be caused to any of the parties, if the petitioner is allowed to give a fresh representation to the first respondent seeking permission to conduct Adal Padal programme at Arulmigu Sri Selliaramman Thirukovil, Melanmarainadu, Vembakottai Taluk, Virudhunagar District, on different date than the one mentioned in the prayer of the Writ Petition and the first respondent is directed to consider the said representation on merits and in accordance with law after affording an opportunity of hearing to the petitioner as well as the rival claimants, if any, within a time frame to be fixed by this Court.

5. For the foregoing reasons, this Writ Petition is disposed of by directing the petitioner to give a fresh representation to the first respondent requesting permission to conduct Adal Padal programme at Arulmigu Sri Selliaramman Thirukovil, Melanmarainadu, Vembakottai Taluk, Virudhunagar District on a particular date and time within a period of three (3) days from the date of receipt of a copy of this order. On receipt of the said representation, the first respondent is directed to consider the same and pass final orders on merits and in accordance with law, after affording an



W.P.(MD).No.11190 of 2024

opportunity of hearing to the petitioner as well as the rival claimants, if any, in the light of the directions issued by the Division Bench of this Court on 24.05.2023 in ***W.P.(MD).No.12535 of 2023*** in the case of ***C.Sathasivam Vs. The Superintendent of Police, Trichy and another***, within a period of three (3) days thereafter. There shall be no order as to costs.

16.05.2024

NCC : Yes/No
Internet: Yes/No
Index: Yes/No
PKN

Note: Issue order copy by 17.05.2024.

To

1. The Assistant Election Officer,
Sattur, Virudhunagar.
2. The Sub-Inspector of Police,
Alangulam Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P.(MD).No.11190 of 2024

P.VADAMALAI, J.

PKN

ORDER IN
W.P.(MD).No.11190 of 2024

16.05.2024