



W.P.(MD)No.19253 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.08.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.19253 of 2024

T.A.G.Parthiban

...Petitioner

Vs.

1.The Deputy Superintendent of Police,
Vilathikulam Sub Division,
Thoothukudi District.

2.The Inspector of Police,
Thoothukudi,
Thoothukudi District.

3.The Sub Inspector of Police,
Pudur Police Station,
Thoothukudi 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 rejection order dated 05.08.2024 passed by the second respondent and quash the same and consequently direct the respondents herein to grant police protection to conduct Aadi Festival 06.08.2024 and 13.08.2024 for the Sri Selaikari Amman Temple



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situated at Pudur Village, Vilathikulam Taluk, Thoothukudi District on the basis of petitioner's representation dated 01.08.2024.

For Petitioner : Mr.R.Niresh Kumar

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

The Writ Petition has been filed seeking a Writ of Certiorarified Mandamus, to call for the records pertaining to the order dated 05.08.2024 passed by the third respondent and quash the same and consequently direct the respondents to grant police protection to conduct Aadi Festival on 06.08.2024 and 13.08.2024 for Sri Selaikari Amman Temple situated at Pudur Village, Vilathikulam Taluk, Thoothukudi District on the basis of the writ petitioner's representation dated 01.08.2024.

2. Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.



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3. The learned counsel appearing for the writ petitioner would submit that the above said temple was constructed by the writ petitioner's family members and is a family temple.

4. In the impugned order, the third respondent has assigned reasons that two criminal cases with regard to the property in dispute are pending and that since one Beulah Jebarani, who is the accused in the above two cases, is a Christian, there is likelihood of arising law and order problem and religious problem, but the above reasons are without any basis and the same cannot be sustained. Hence, the impugned order is hereby set aside.

5. It is brought to the notice of this Court that the Director General of Police, Tamil Nadu, Chennai had issued a circular memorandum in Rc.007301/Genl.I (1)/2019 dated 09.04.2019 along with instructions to the Inspectors of Police throughout Tamil Nadu for consideration of applications seeking permission for conducting programme. Therefore, in view of the detailed circular and guidelines issued by the Director General of Police, the third respondent is hereby directed to grant



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permission to the festival to be held on 13.08.2024 by imposing necessary conditions based on the above said circular.

6. With the above direction, this Writ Petition stands disposed of.

No costs.

09.08.2024

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

csm

Note : Issue order copy today (09.08.2024)

To

- 1.The Deputy Superintendent of Police,
Vilathikulam Sub Division,
Thoothukudi District.
- 2.The Inspector of Police,
Thoothukudi,
Thoothukudi District.
- 3.The Sub Inspector of Police,
Pudur Police Station,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

csm

Order made in
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Dated : 09.08.2024