



W.P.(MD)No.21069 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.21069 of 2024

Chinnaraja

...Petitioner

Vs.

1.The Superintendent of Police,
Madurai, Madurai District.

2.The Deputy Superintendent of Police,
Usilampatti Sub Division,
Madurai District.

3.The Inspector of Police,
T.Ramanathapuram Police Station,
Elumalai Circle, Madurai 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 third respondent in Na.Ka.No.191/Ka.Aa.Va/Elumalai Circle/2024, dated 30.08.2024 and quash the same as illegal, arbitrary and non-application of mind and consequently, direct the third respondent to permit the petitioner and their village people to conduct Vinayagar Chathurthi festival procession on 07.09.2024 and 08.09.2024.



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For Petitioner : Mr.A.Balaji,

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

ORDER

The Writ Petition is directed against the rejection order, dated 30.08.2024 passed by the third respondent and for direction to the respondents to grant permission and accord protection for procession of Vinayagar Chathurthi on 07.09.2024 and 08.09.2024 at Elumalai Town, Madurai District.

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.

3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents would submit that since there are two rival groups and in the festival conducted last year due to violation of conditions imposed by the concerned police, a case and case in counter came to be registered in Crime Nos.196 and 197



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of 2023, the third respondent has rejected the writ petitioner's request to grant permission and accord protection for procession of Vinayagar Chathurthi on 08.09.2024. He would further submit that he may be permitted to conduct the procession on 08.09.2024 and the concerned authorities to decide about the route and time by taking note of the law and order issues and other attending circumstances.

4. At this juncture, the learned counsel appearing for the writ petitioner would submit that they will follow the conditions to be imposed by the concerned police.

5. Considering the above, the writ petitioner is directed to give a fresh representation with an undertaking affidavit that they will follow the conditions imposed by the concerned police before the third respondent and on receipt of the same, the third respondent is directed to consider the writ petitioner's representation and take a decision within a period of two days from today (i.e., 04.09.2024).



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

No costs.

04.09.2024

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

das

Note : Issue order copy on 04.09.2024

To

- 1.The Superintendent of Police,
Madurai, Madurai District.
- 2.The Deputy Superintendent of Police,
Usilampatti Sub Division,
Madurai District.
- 3.The Inspector of Police,
T.Ramanathapuram Police Station,
Elumalai Circle, Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

das

Order made in
W.P.(MD)No.21069 of 2024

Dated : 04.09.2024