



W.P(MD)No.21529 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.09.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.21529 of 2024

C.Rajesh

: Petitioner

Vs.

1.The Superintendent of Police,
O/o.The Superintendent of Police,
Pudukkottai District.

2.The Additional Superintendent of Police,
O/o.The Additional Superintendent of Police,
Pudukkottai District.

3.The Inspector of Police,
Annavaasal Police Station,
Pudukkottai 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 of impugned order passed by the 3rd respondent in his proceedings dated 05/09/2024 and quash the same as illegal and arbitrary and also direction to the respondents to grant permission and accord protection for conducting Adal Padal Programme on 07.09.2024 on the eve of Vinayagar Chathurthi Vizha situated in Karnapatti Village, Keelathaniyam Post, Ponnamaravathi Taluk, Pudukkottai District.



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

ORDER

This Writ Petition is directed against the impugned order passed by the third respondent in his proceedings, dated 05/09/2024 and also direction to the respondents to grant permission and accord protection for conducting Adal Padal Programme on 07.09.2024 on the eve of Vinayagar Chathurthi Vizha situated in Karnapatti Village, Keelathaniyam Post, Ponnamaravathi Taluk, Pudukottai 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 counsel appearing for the petitioner would submit that they have given representation to the third respondent and the third respondent has passed an order, dated 28.04.2024 for granting permission by imposing some



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conditions, that thereafter, the Additional Deputy Superintendent of Police has passed an order, dated 29.08.2024 granting permission and also directed the Deputy Superintendent of Police, Illuppur and the third respondent to give police protection for the events, that subsequently, the third respondent has passed an order, dated 05.09.2024 cancelling the permission already granted and that therefore, the petitioner was constrained to approach this Court, invoking Article 226 of the Constitution of India.

4. The learned Additional Public Prosecutor appearing for the State would submit that the Additional Deputy Superintendent of Police has issued proceedings, dated 29.08.2024 granting permission, but subsequently, taking note of the some objections given by the villagers, the third respondent has passed the impugned order on 05.09.2024 cancelling the permission already granted.

5. It is seen from the records that the five villagers have given a representation to the Sub-Inspector of Police, Karaiyur Police Station, Karaiyur on 03.09.2024, raising objections to the petitioner to proceed with the celebrations and on that basis, the third respondent has passed



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the impugned order only on 05.09.2024 cancelling the permission already granted. This Court is at loss to understand as to when the Additional Deputy Superintendent of Police has granted permission, how the third respondent has passed the impugned order cancelling the permission and on that ground alone, the impugned order cannot be sustained.

6. Hence, the impugned order dated 05.09.2024 passed by the third respondent is hereby quashed and the order passed by the Additional Deputy Superintendent of Police, dated 29.08.2024 is sustained and the concerned Police are directed to act as per orders of the Additional Deputy Superintendent of Police.

7. With the above direction, this writ petition stands disposed of.

No costs.

06.09.2024

NCC : Yes/ No
Index : Yes/No
Internet : Yes/ No
das



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K.MURALI SHANKAR, J

das

To

- 1.The Superintendent of Police,
O/o.The Superintendent of Police,
Pudukkottai District.
- 2.The Additional Superintendent of Police,
O/o.The Additional Superintendent of Police,
Pudukkottai District.
- 3.The Inspector of Police,
Annavasal Police Station,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
W.P(MD)No.21529 of 2024

06.09.2024