



W.P(MD)No.3456 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2025

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THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD)No.3456 of 2025

S.Thirupathi

... Petitioner

Vs.

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

2.The Inspector of Police,
Peraiyur Police Station,
Peraiyur,
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 relating to the impugned order passed by the second respondent in Na.Ka.No. 09/Peraiyur Police Circle / 2025, dated 03.02.2025 and quash the same as illegal and consequently direct the second respondent to grant permission to conduct the "Maha Kumbabishagam" as well as other programmes and also to conduct the "Adal Padal" on 10.02.2025 at about 06.00 pm to 12.00 pm the temple namely "Arulmigu Sri Omsakthi Vinayagar and



W.P(MD)No.3456 of 2025

Arulmigu Sri Kalamman Thirukovil" in Thummanayakkanpatti, Peraiyur Taluk, Madurai District and pass such further or other orders as this Court.

For Petitioner : Mr.S.Sadeskumar

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The present writ petition has been filed to quash the order, dated 03.02.2025 passed by the second respondent in Na.Ka.No.09/Peraiyur Police Circle/2025 and consequently direct the second respondent to grant permission to conduct the "Maha Kumbabishagam" as well as other programmes and also to conduct the "Adal Padal" on 10.02.2025 at about 06.00 pm to 12.00 pm the temple namely "Arulmigu Sri Omsakthi Vinayagar and Arulmigu Sri Kalamman Thirukovil" in Thummanayakkanpatti, Peraiyur Taluk, Madurai District.

2. The learned Counsel appearing for the petitioner would submit that the petitioner is the Committe Member of "Arulmigu Sri Omsakthi Vinayagar and Arulmigu Sri Kalamman Thirukovil" at Thummanayakkanpatti, Peraiyur Taluk, Madurai District. They arranged for "Maha Kumbabishagam" in the



W.P(MD)No.3456 of 2025

above said Temple and also arranged for "Adal Padal" on 10.02.2025 at about 06.00 pm to 12.00 pm. For that, they approached the concerned police, but they refused to give permission for conducting "Adal Padal" programme through order, dated 06.02.2025. There are no any valid reasons stated in the order and they only on assumption, declined to grant permission. Therefore, the order passed by the second respondent is liable to be quashed.

3. The learned Additional Public Prosecutor appearing for the respondents would submit that they received the representation of the petitioner, dated 27.01.2025 and thereafter, they passed an order on 06.02.2025 by rejecting the request of the petitioner on the ground that there is a chance for law and order problem and there are two different religious people are residing there. Therefore, there is a chance for communal clash. Therefore, they rejected the request of the petitioner. However, he fairly conceded that if the petitioner is ready to obey the conditions imposed by the respondents, they will consider the representation of the petitioner.

4. Heard the learned Counsels on either side and perused the materials available on record.



W.P(MD)No.3456 of 2025

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5. This is a petition filed by the petitioner to challenge the order passed by the second respondent, dated 03.02.2025 in which the petitioner requested the respondents to give permission for "Adal Padal" programme. The only contention raised by the second respondent is that there will be chances for law and order problem. Thereby, they refused to give permission. There is no any records to show that in the earlier occasion, there was some law and order problem in the said locality.

6. Considering the limited prayer sought for in the writ petition, the respondents ought to have consider the representation in favour of the petitioner by imposing some conditions but totally rejected the request. The order of the respondents also shows that only on assumption, the order was passed. Therefore, it is appropriate to set aside the order passed by the second respondent, dated 03.02.2025 and consider the same by imposing some conditions and by fixing time limit.

7. In view of the above said discussions, this writ petition stands allowed and the order passed by the second respondent is set aside and the second



W.P(MD)No.3456 of 2025

WEB COPY

respondent is directed to consider the representation of the petitioner by imposing appropriate conditions in accordance with law on or before **08.02.2025.**

8. With the above direction, this writ petition stands allowed. There shall be no order as to costs.

06.02.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

Note: Issue order copy on 06.02.2025.

To

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

2.The Inspector of Police,
Peraiyur Police Station,
Peraiyur,
Madurai District.



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W.P(MD)No.3456 of 2025

P.DHANABAL, J.

BTR

W.P(MD)No.3456 of 2025

06.02.2025