



W.P(MD)No.5866 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2025

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THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD)No.5866 of 2025
and
W.M.P(MD)No.4267 of 2025

MMM.Kumar Pandian

... Petitioner

Vs.

The Inspector of Police,
Srivaikundam Police Station,
Srivaikundam,
Tuticorin District.

... Respondent

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 the impugned order of the respondent, dated 27.02.2025 and quash the same and consequently direct the respondent to grant permission for conducting "Orchestra" on 04.03.2025 at 06.00 P.M to 10.00 P.M in "Arulmigu Sivakami Ammal Udanurai Nadunakkar Mathiyapatheeswarar Thirukovil" and also permit the petitioner to erect one flex board and pass such other or further orders as this Court.

For Petitioner : Mr.N.Vignesh



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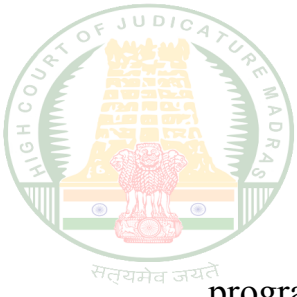
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For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The present writ petition has been filed to quash the order, dated 27.02.2025 passed by the respondent and consequently direct the respondent to grant permission for conducting "Orchestra" on 04.03.2025 at 06.00 P.M to 10.00 P.M in "Arulmigu Sivakami Ammal Udanurai Nadunakkar Mathiyapatheeswarar Thirukovil" and also permit the petitioner to erect one flex board.

2. According to the petitioner, the Temple, namely, "Arulmigu Sivakami Ammal Udanurai Nadunakkar Mathiyapatheeswarar Thirukovil" is situated in Vellur Post, Srivaikundam Taluk, Tuticorin District and they used to conduct Masi Festival for 12 days on every year. Similarly, this year also, they decided to conduct festival and for that, they decided to conduct cultural programme of "Orchestra" on 28.02.2025 and the same was rejected and thereafter, rescheduled the



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programme today. The respondent rejected the petitioner's representation, dated 27.02.2025 and the same was disposed of by rejecting the request of the petitioner on the ground of law and order issue. The petitioner also undertakes to conduct the "Orchestra" without any law and order issue. Therefore, the permission has to be granted to the petitioner for "Orchestra" scheduled to be held on 04.03.2025.

3. The learned Additional Public Prosecutor appearing for the respondent would submit that they received the representation of the petitioner, dated 28.02.2025 and due to law and order issue, they rejected the representation of the petitioner for conducting "Orchestra" through an order, dated 27.02.2025 and already the above said "Orchestra" scheduled to be held on 28.02.2025 was over and thereby, the petition become infructuous.

4. This Court had heard both sides and perused the materials available on record.



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5. Already the petitioner sent a representation, dated 27.02.2025 for conducting "Orchestra" on 28.02.2025 and the same was rejected on the ground of law and order issue. Now the petitioner undertakes before this Court that they will not create any law and order issue and they will conduct "Orchestra" in a peaceful manner. Since the earlier request for conduct of "Orchestra" is only on 28.02.2025 and the same was rejected, this Court need not set aside that order since the same was already become infructuous. However, the petitioner's prayer is to give permission on 04.03.2025 from 06.00 P.M to 11.00 P.M. Therefore, this Court is inclined to grant permission to the petitioner to conduct "Orchestra" in a peaceful manner without any law and order issue. The respondent is directed to monitor the said "Orchestra" and ensure the peace and law and order during the said "Orchestra". The petitioner also has to ensure not to praise any particular community and to any first priority to anybody and without any obscene activities they have to conduct "Orchestra".



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6. With the above said directions, this writ petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

04.03.2025

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

Note: Issue order copy on 04.03.2025.

To

The Inspector of Police,
Srivaikundam Police Station,
Srivaikundam,
Tuticorin District.



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P.DHANABAL, J.

BTR

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