



W.P.(MD) No.5983 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.02.2025

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THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD)No.5983 of 2025

Sankarasubbu

... Petitioner

Vs.

1. The Superintendent of Police,
Thoothukudi District.

2. The Deputy Superintendent of Police,
Srivaigundam Sub Division,
Thoothukudi District.

3. The Inspector of Police,
Srivaigundam Police Station,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, to direct the respondents to grant permission and to give a police protection to conduct Innisai Katcheri scheduled on 07.03.2025 at Arulmighu Sivagami Ambal and Udanurai Nadunakkar Mathiyapatheeswarar Temple, Vellur, Thoothukudi District, by considering the petitioner's representation dated 03.03.2025.

For Petitioner : Mr.S.Vishnuvaradhan

For Respondents : Mr.R.M.Anbunmithi

Additional Public Prosecutor (Crl. Side)



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ORDER

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2. The learned counsel appearing for the petitioner would submit that the petitioner is the resident of Vellur and they used to conduct Festival for the “Arulmighu Sivagami Ambal and Udanurai Nadunakkar Mathiyapatheeswarar Temple”. While so, the villagers have decided to celebrate the Temple Festival from 28.02.2025 to 12.03.2025. Already the Festival was started on 28.02.2025 and now, the villagers want to conduct “Innisai Katcheri” on 07.03.2025. Therefore, he sent a representation to the 3rd respondent for permission and to grant police protection, but the same has not been considered. Hence, he has file this petition.

3. The learned Government Advocate (Criminal Side) appearing for



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the respondent police would submit that already the representation of the petitioner was considered and the same was rejected since the other parties also decided to conduct a cultural programme on 28.02.2025, 08.03.2025 and 09.03.2025. Now, the petitioner also wants to conduct a cultural programme. Therefore, in order to avoid the law and order issue, they have rejected the representation of the petitioner.

4. In reply to that, the learned counsel for the petitioner would submit that they have not received the rejection order so far and already this Court has granted permission to the other party in *W.P.((MD) no. 5866 of 2025 dated 04.03.2023 [MMM Kumar Pandian Vs. The Inspector of Police, Srivaikundam]* for the same Temple and the above said event was also conducted peacefully. Now the petitioner undertakes to conduct the event without any law and order issue. Therefore, the petitioner may be permitted to conduct “Innisai Katcheri” on 07.03.2025 with police protection

5. Since the prayer of the petitioner is to consider the representation of the petitioner dated 03.03.2025 for conduct of “Innisai Katcheri” on 07.03.2025 and the same was already considered by the 3rd respondent and



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the permission was declined, it is for the petitioner to challenge the said order, but he has filed this petition prior to the order passed by the police.

According to the petitioner, the said order was not communicated to him before filing of this petition and today only, he came to know about the alleged rejection order. Since the said programme was scheduled to be held on 07.03.2025, the petitioner is not in a position to challenge the said order. However, this Court has also granted permission to the other party to conduct the cultural programme. Therefore, this Court is inclined to grant permission to the petitioner to conduct the “Innisai Katcheri” on 07.03.2025 on condition to maintain the law and order without any obscene acts or any communal activities in the programme. The 3rd respondent is directed to monitor the entire programme. If there is any deviation, the 3rd respondent is at liberty to take appropriate action in accordance with law.

6. With the above said observations and directions, this Writ Petition is allowed. No costs.

05.03.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
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Note: Registry is directed to issue order copy on or before 05.03.2025.

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To

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



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P.DHANABAL, J.

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05.03.2025