

Madras High Court

P.Muthukarupan vs The Deputy Superintendent Of ... on 17 July, 2023

W.P. (MD) No

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.07.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P. (MD) No.17101 of 2023

P.Muthukarupan

... Petitioner

/vs./

1.The Deputy Superintendent of Police,  
Thiruverumbur Sub Division, Trichy District.

2.The Inspector of Police,  
Thuvakudi Police Station,  
Trichy District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for the records of the impugned order passed by the 2nd respondent in Na.Ka.No.01/B3 Ka.Ni/2023 dated 10.07.2023 and quash the same and consequently directing the respondent to grant permission to conduct Mahamayi Drama scheduled on 17.07.2023 at about 09.00 pm., to 05.00 am., and the Gramiya Themmangu Aadalum Paadal Nigazhichi organized by DMV Nanbargal Deeban Manikandam Kuzhu scheduled on 18.07.2023 at 07.00 pm., to 12.00 am, in the ground which is situated near Arulmigu Sri Vinayagar, Sri Selvamuthu Mariamman and Sri Sappani Karuppu Temple premise.

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<https://www.mhc.tn.gov.in/judis>

W.P. (MD)

For Petitioner : Mr.G.R.Satish

For Respondents : Mr.SS.Madhavan

Government Advocate (Crl.side)

ORDER

This petition is filed seeking for a direction to the respondent police to permit the petitioner to conduct Mahamayi Drama scheduled on 17.07.2023 at about 09.00 pm., to 05.00 am., and the Gramiya Themmangu Aadalum Paadalum Nigazhichi, which was organized by DMV Nanbargal Deeban Manikandam Kuzhu, scheduled on 18.07.2023 at 07.00 pm., to 12.00 am, in the ground, which is situated near the Arulmigu Sri Vinayagar, Sri Selvamuthu Mariamman and Sri Sappani

Karupu Temple premise.

2.It is submitted by Mr.G.R.Satish, learned counsel for the petitioner that the petitioner has given a representation dated 05.07.2023 for grant of permission to conduct Mahamayi Drama on 17.07.2023 between 09.00 pm., and 05.00 am., and Gramiya Themmangu Aadalum Paadaluk Nigazhichi on 18.07.2023 between 07.00 pm., and 12.00 am. However, the respondent police have refused to grant permission for both the events. Aggrieved by the same, the petitioner has approached this Court by way of filing this writ petition. <https://www.mhc.tn.gov.in/judis> W.P.(MD) No.17101 of 2023

3.It is submitted by the learned counsel for the petitioner that for more than 50 years, the said programme is being conducted without any complaint and in the year 2022, the petitioner has filed W.P.(MD) No.14614 of 2022 before this Court and the same was allowed on 08.07.2022 and accordingly, permission was granted and the programmes were conducted peacefully. It is submitted that the petitioner is willing to organize the programme by following all the conditions imposed by the police and will see that there is no breach in the law and order and maintain peace. It is also submitted that in all these years, no untoward incident has taken place while conducting the programme.

4.The learned Government Advocate (Crl.side) after taking instructions from the concerned police has reported that the respondent police have no objection to grant permission for performing Mahamayi Drama today as sought for by the petitioner in the ground, which is situated near the Arulmigu Sri Vinayagar, Sri Selvamuthu Mariamman and Sri Sappani Karupu Temple premises.

5.In respect of Aadal Paadal programme, it is submitted by the learned Government Advocate (Crl.side) that the petitioner wanted permission to conduct <https://www.mhc.tn.gov.in/judis> W.P.(MD) No.17101 of 2023 Aadal Paadal on 18.07.2023 from 07.00 pm., until next day early in the morning. The police have no objection, in case if the Aadal Paadal programme is permitted to be celebrated on 18.07.2023 between 07.00 pm., and 10.00 pm.,

6.Considering the circumstances, this Writ Petition is disposed of directing the petitioner to file an application afresh immediately before the respondent police and on filing such application, the respondent police are directed to permit the petitioner to conduct Mahamayi Drama as sought for by the petitioner in the earlier representation dated 05.07.2023 and to conduct Gramiya Themmangu Aadalum Paadaluk Nigazhichi on 18.07.2023 between 07.00 pm., and 10.00 pm., and by imposing conditions as per the guidelines issued vide proceedings in Rc. 007301/Genl.(1)/2019 dated 09.04.2019. However, there shall be no order as to costs.

Speaking	: Yes / No
NCC	: Yes / No
Internet	: Yes / No
Index	: Yes / No

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Note : Issue order copy on 17.07.2023

<https://www.mhc.tn.gov.in/judis>

W.P.(MD) No.17101 of

To

1.The Deputy Superintendent of Police,

Thiruverumbur Sub Division, Trichy District.

2.The Inspector of Police, Thuvakudi Police Station, Trichy District.

<https://www.mhc.tn.gov.in/judis> W.P.(MD) No.17101 of 2023 DR.D.NAGARJUN, J.

mm W.P.(MD) No.17101 of 2023 17.07.2023 <https://www.mhc.tn.gov.in/judis>