

W.P.(MD)No.19653 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:14.08.2023

CORAM

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

W.P.(MD)No.19653 of 2023

K.Baskaran

... Petitioner

Vs

1.The Superintendent of Police, Madurai District.

2.The Deputy Superintendent of Police,
Melur, Madurai District.

3.The Inspector of Police,
Appan Thirupathi Police Station, Madurai District.

4.The Inspector of Police,
Y.Othakadai Police Station, Madurai District.

5.The Inspector of Police,
Melur Police Station, Madurai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to give adequate police protection for “Vakuthikula Vagayara Kalari Utsav Festive” at Kallampatti Temple, Kallampatti Village, Matham Melanadu, Melur Taluk, Madurai District, scheduled to be held on 15.08.2023, 16.08.2023, 17.08.2023 and 22.08.2023 at Kallampatti Temple, Kallampatti Village, Matham Melanadu, Melur Taluk, Madurai District, by considering the representation dated 04.08.2023.

For Petitioner : Mr.R.Gandhi
Senior Counsel

for Ms.V.Sebastinal Preethi

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor



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ORDER

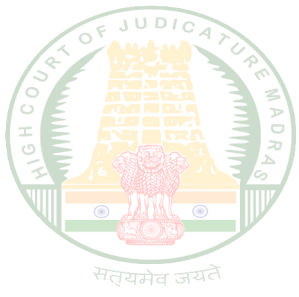
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This Writ Petition is filed under Article 226 of the Constitution of India seeking for a direction to the respondents to give adequate police protection for conducting “Vakuthikula Vagayara Kalari Utsav Festive” at Kallampatti Temple, Kallampatti Village, Matham Melanadu, Melur Taluk, Madurai District, scheduled to be held on 15.08.2023, 16.08.2023, 17.08.2023 and 22.08.2023 at Kallampatti Temple, Kallampatti Village, Matham Melanadu, Melur Taluk, Madurai District, by considering the representation of the petitioner, dated 04.08.2023.

2. Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor, takes notice on behalf of the respondents. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3. Learned Senior counsel for the petitioner submitted that the petitioner is the Treasurer of the “Vakuthikula Vagaiyara”. They regularly conducting the “Vakuthikula Vagayara Kalari Utsav Festival in every year. The said festival conducted in the past number of years without any untoward incidents. This year, this festival is proposed to be held on 15.08.2023 onwards.

Hence, he submitted the representation before the respondent Police. The respondents Police did not consider the same and hence, the petitioner filed the petition seeking the relief stated above.



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4. Learned Additional Public Prosecutor appearing for the

respondents, on instructions, submitted that, earlier, there was an issue between the parties and due to that, a Peace Committee Meeting was conducted and the they arrived at a compromise yesterday. In the said circumstances, the respondents are ready to give permission as claimed by the petitioner in this petition. The resolution passed in the Peace Committee Meeting is extracted hereunder:

W.P. (MD) NO. 19653 of 2023

From ,
Inspector of Police,
B1-Melur Police Station,
Madurai District.

Date:

To
The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Sir,
Sub: Giving Instruction regarding AdalPadal/ Kabbadi Tournament –
regarding.

Ref: 1) Representation dated given by the Petitioner Baskaran
2) Writ Petition filed by the Petitioner in W.P.(MD) No. 19653/2023 --

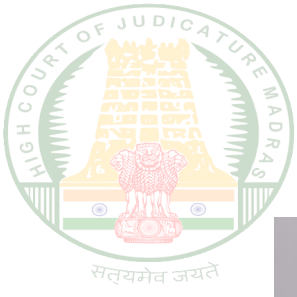
The petitioner filed the above writ petition seeking permission with police protection for conducting Kalari Cultural Programme/ on the eve of Festival from 15.08.23-- to -17.08.23.

I considered the representation and arrangements made by the petitioner regarding the above event permission may be granted in accordance with the circular issued by the DGP

OR

மனுதாரர் கல்லம்பட்டி கிராமத்தில் அமைந்துள்ள வகுத்திகுல வகையறாக்கள் சார்பாக அவரது பங்காளிகள் சார்பாகவும் களரி உற்சவ திருவிழா 15.08.23 முதல் 17.08.23 வரை நடைபெற உள்ளது. இக் கோவில் திருவிழா சம்மந்தமாக மேலூர் காவல் நிலையத்தில் கல்லம்பட்டி கிராம பொது மக்கள் மற்றும் வகுத்தி குல பங்காளிகள் இருதரப்பினரையும் அழைத்து சமாதானக் கூட்டம் நடத்தியதில் களரி கும்பிடுவதிலோ சாமி கும்பிடுவதிலோ எந்த வித பிரச்சினையும் செய்யாமல் திருவழா நடத்துவது என்றும் மேலும் கழுவம் பாறை சாமி கும்பிடுவதில் உள்ள வரி வசூல் பிரச்சனையை இன்னும் ஒரு மாத காலத்தில் பிரச்சனை தீர்த்து கொள்வது என்றும் இரு தரப்பினரும் எழுதி கொடுத்துள்ளனர். என்ற விபரம் பணிந்து தெரிவித்துக் கொள்கிறேன்.

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REASONS:

1. There is a counter claim by two groups.
2. There is a possibility for communal clash and law and order problem.
3. Already case registered during the previous years.
4. *If any other reason, mention specially*

Kindly consider my submissions for deciding the above writ petition.

Police Station's Phone Number:
Mobile Number of SHO :

for Jey SSI II
INSPECTOR OF POLICE
WITH NAME



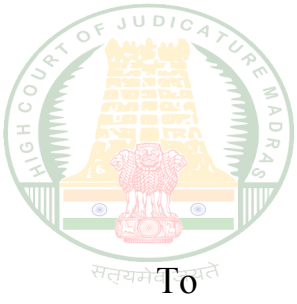
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5. Recording the above said submission of the learned Additional

Public Prosecutor, this Writ Petition is disposed of, directing the respondents to give adequate police protection for conducting “Vakuthikula Vagayara Kalari Utsav Festive” at Kallampatti Temple, Kallampatti Village, Matham Melanadu, Melur Taluk, Madurai District, scheduled to be held on 15.08.2023, 16.08.2023, 17.08.2023 and 22.08.2023 at Kallampatti Temple, Kallampatti Village, Matham Melanadu, Melur Taluk, Madurai District. No costs.

14.08.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
tsg



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To

- 1.The Superintendent of Police,
Madurai District.
- 2.The Deputy Superintendent of Police,
Melur, Madurai District.
- 3.The Inspector of Police,
Appan Thirupathi Police Station,
Madurai District.
- 4.The Inspector of Police,
Y.Othakadai Police Station,
Madurai District.
- 5.The Inspector of Police,
Melur Police Station,
Madurai District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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K.K.RAMAKRISHNAN, J.

tsg

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