



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.05.2017

CORAM :

**THE HONOURABLE MR.JUSTICE T.RAJA**  
**and**  
**THE HONOURABLE MR.JUSTICE P.VELMURUGAN**

W.P (MD) No.8809 of 2017

K.Chelladurai

... Petitioner

vs.

State Rep. by  
The Inspector of Police,  
Kayathar Police Station,  
Thoothukudi 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 pertaining to the impugned order passed by the Respondent in his proceedings in unnumbered dated 07.05.2017 and quash the same as illegal, consequently direct the respondents to permit the petitioner to perform Aadal Padal on 16.05.2017 during the conducting festival of "Arulmighu Kaliyamman Temple", 3/19-South Street, Asuoor, Kovilpatti Taluk, Thoothukudi District.

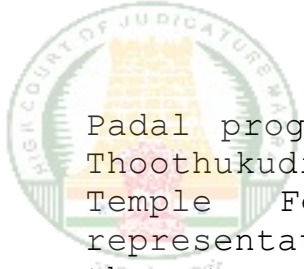
For Petitioner : Mr.K.Veilmuthu

For Respondent : Mr.M.Govindan  
Special Government Pleader

O R D E R

This Writ Petition has been filed for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the Respondent in his proceedings in unnumbered dated 07.05.2017 and quash the same as illegal, consequently direct the respondents to permit the petitioner to perform Aadal Padal on 16.05.2017 during the festival of "Arulmighu Kaliyamman Temple", 3/19-South Street, Asuoor, Kovilpatti Taluk, Thoothukudi District.

2. Learned counsel for the petitioner submitted that the festival of the said temple is scheduled to be held on 16.05.2017. The petitioner and other villagers have decided to organise "Aadal



Padal programme" in 3/19-South Street, Asuoor, Kovilpatti Taluk, Thoothukudi District in connection with Arulmighu Kaliyamman Temple Festival, therefore, the petitioner submitted a representation, dated 07.05.2017, to the respondent, requesting them to grant permission therefor. The said representation has been rejected by way of the present impugned order dated 07.05.2017. Challenging the same, the petitioner has filed the present writ petition, for the above mentioned relief.

3. Learned Special Government Pleader who takes notice for the respondent, submitted that only to avoid law and order problem permission was refused and if the petitioner gives undertaking that they will not create any nuisance or problem to the public, they may be permitted to conduct "Aadal Padal programme" in 3/19-South Street, Asuoor, Kovilpatti Taluk, Thoothukudi District, in connection with Arulmighu Kaliyamman Temple Festival. His submission is placed on record.

4. Considering the submissions made on either side, this Court passes the following order:-

"The impugned order dated 07.05.2017 is set aside and the respondent is directed to grant permission to the petitioner to conduct "Aadal Padal programme" in 3/19-South Street, Asuoor, Kovilpatti Taluk, Thoothukudi District, in connection with Arulmighu Kaliyamman Temple Festival, subject to the following conditions:

i)The event shall be conducted in an organised and peaceful manner without causing law and order problem.

ii)There shall not be any obscene or vulgar scenes during the dance performance by any one of the participants or others.

iii)The dance performance shall be restricted between 6.00 p.m and 11.00 p.m. on 16.05.2017.

iv)If there is any violation of the above said conditions, the respondent or the duly authorised officer is entitled to take necessary action as per law and stop such performance.

5. With the above directions, this Writ Petition is allowed. No costs.

Sd/-  
Vacation Officer

/True copy/



To,

The Inspector of Police,  
Kayathar Police Station,  
Thoothukudi District.

+1 cc to Mr.K.Veil Muthu , Advocate in SR.No. 56204  
+1 cc to Special Government Pleader in SR.No:56348

CM/MR/TSG  
AE/RSK/SAR3/12.05.2017/3P/4C

**W.P. (MD) No. 8809 of 2017**  
**10.05.2017**