



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.8872 of 2017

M.Dhanapal

... Petitioner

vs.

1. The Inspector of Police,
Oddanchatram Police Station,
Dindigul District.

2. The Sub-Inspector of Police,
Ambilikai Police Station,
Dindigul District.

... Respondents

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 1st respondent accepting the refusal note made by the 2nd respondent by their proceedings dated 04.05.2017 and quash the same as illegal, consequently, directing the respondents to permit the petitioner to conduct the cultural function viz., Aadal Padal during the temple festival of Sri Kalliamman Temple, Annamalaipudur, Veriyappur Village, Oddanchatram Taluk, Dindigul District on 17.05.2017 between 7.00 PM to 12.00 PM, and further direct the respondents to give police protection for the above said programme.

For Petitioner : Mr.D.Venkatesh
For Respondents : Mr.V.Muruganandan,
Additional Government Pleader

O R D E R

(Order of the Court was made by T.RAJA, J)

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 1st respondent, accepting the refusal note made by the 2nd respondent, by their proceedings dated 04.05.2017 and quash the same as illegal and to direct the respondents to give permission and necessary police protection to



conduct the cultural function viz., Aadal Padal during the temple festival of Sri Kaliyamman Temple, Annamalaipudur, Veriyappur Village, Oddanchatram Taluk, Dindigul District on 17.05.2017 between 7.00 PM to 12.00 PM.

2. Learned counsel for the petitioner submitted that the petitioner is the resident of the said village and the said festival is being conducted in Sri Kaliyamman Temple from time immemorial. The festival is scheduled to be held on 17.05.2017. The petitioner and other villagers have decided to organise "Aadal Padal programme" at Annamalaipudur, Veriyappur Village, Oddanchatram Taluk, Dindigul District, in connection with Sri Kaliyamman Temple Festival. The programme is being conducted by the villagers regularly in order to promote harmony during the above said festival period. Therefore, the petitioner submitted a representation, dated 04.05.2017 to the second respondent, requesting him to grant permission and necessary police protection therefor. The said representation has been rejected by the first respondent herein by way of the present impugned order, without assigning any valid reason and hence, challenging the same, the petitioner has filed the present writ petition for the above mentioned relief.

3. Heard the learned Special Government Pleader appearing for the respondents on the above submissions made by the learned counsel for the petitioner.

4. A perusal of the impugned order shows that the permission sought for by the petitioner has been rejected without assigning any valid reason. Further, this order cannot be sustained as it is a blanket order refusing permission for particular area. Absolutely, there is no justification in the order passed by the first respondent. Considering the same, this Court passes the following order:-

"The impugned order dated 04.05.2017 is set aside and the 1st respondent is directed to grant permission to the petitioner to conduct "Aadal Padal programme" at Annamalaipudur, Veriyappur Village, Oddanchatram Taluk, Dindigul District, in connection with Sri Kaliyamman Temple Festival, subject to the following conditions:

i) The event shall be conducted in an organized 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 17.05.2017.

Further, there is any violation of the above said conditions, the 1st respondent or the duly authorised



officer is entitled to take necessary action as per law and stop such performance.

5. This Writ Petition is accordingly allowed. No costs.

WEB COPY

/True Copy/

Sd/-
Vacation Officer

Sub Assistant Registrar

To

1. The Inspector of Police,
Oddanchatram Police Station,
Dindigul District.
2. The Sub-Inspector of Police,
Ambilikai Police Station,
Dindigul District.

+1CC to M/S.D.Venkatesh, Advocate, SR.No.56272
+1CC to Special Government Pleader in SR.No.56338

W.P(MD)No.8872 of 2017

JM RSK SAR 3 3P 5C