



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.8914 of 2017

G.S.R.Sivanupandian

... Petitioner

vs.

The Inspector of Police,
Vickramasingapuram Police Station,
Tirunelveli 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 dated 28.04.2017 and quash the same as illegal consequently direct the respondent to permit the petitioner to perform Aadal Padal and music concert programs on 24.05.2017 from 7.00 P.M., onwards during the temple festival of Sri Muppudathi Amman Temple, V.K.Puram Village, Ambasumudram Taluk, Tirunelveli Distirct.

For Petitioner : Mr.D.Venkatesh

For Respondent : Mr.V.Muruganantham,
Additional Government Pleader

O R D E R

Challenging the rejection order dated 28.04.2017 for conducting Aadal Padal and music concert programs during the temple festival of Sri Muppudathi Amman Temple, V.K.Puram Village, Ambasumudram Taluk, Tirunelveli Distirct, the present writ petition has been filed.

2.Learned counsel for the petitioner submitted that the petitioner is the resident of the said village and that he is a member of the festival committee. The said festival has been conducted in the said temple by the petitioner from time immemorial. The festival is scheduled to be held 24.05.2017. The petitioner and other villagers have decided to organise "Aadal Padal programme" at V.K.Puram Village, Ambasumudram Taluk, Tirunelveli Distirct, in connection with temple festival of Sri Muppudathi Amman Temple. 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 28.04.2017 to the respondents, requesting them to grant permission therefor. The said representation has been rejected 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 Additional Government Pleader appearing for the respondent on the above submissions made by the learned counsel for the petitioner.

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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 stated that if permission is granted, it would create law and problem in the petitioner's village. Absolutely, there is no justification in the order passed by the respondent. Considering the same, this Court passes the following order:-

"The impugned order dated 28.04.2017 is set aside and the respondent is directed to grant permission to the petitioner to conduct "Aadal Padal programme" at V.K.Puram Village, Ambasumudram Taluk, Tirunelveli District, in connection with temple festival of Sri Muppudathi Amman Temple, 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 24.05.2017.

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. This Writ Petition is accordingly allowed. No costs.

Sd/-

Vacation officer

(Assistant Registrar)

/True Copy/

Sub Assistant Registrar

To
The Inspector of Police,
Vickramasingapuram Police Station,
Tirunelveli District.

+1cc to Mr.D.Venkatesh, Advocate, SR.56220

+1cc to M/S THE SPECIAL GOVERNMENT PLEADER, SR.NO.56329

W.P (MD) No.8914 of 2017

10.05.2017