



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2018

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

W.P.(MD) No.2997 of 2018

WEB COPY

P.Thangapandi

... Petitioner

-Vs-

The Sub Inspector of Police,
Dindigul Taluk Police Station,
Dindigul.

... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of rejection dated 08.02.2018 issued by the respondent and quash the same and consequently directing the respondent to grant permission and to provide police protection to conduct the "Aadalum Paadalum" dance programme on 01.03.2018 in pursuant to the "Yearly Urchava Festival" of Arulmigu Mandu Kaliyamman Thirukoil situated at N.Paraipatti Post, Vendasandur Taluk, Dindigul District.

For Petitioner : Mr.M.S.Jeyakarthik
For Respondent : Ms.B.Bhagawathi
Government Advocate

O R D E R

This writ petition has been filed to call for the records relating to the impugned order of rejection dated 08.02.2018 issued by the respondent and quash the same and consequently to direct the respondent to grant permission and to provide police protection to conduct the "Aadalum Paadalum" dance programme on 01.03.2018 in the eve of the "Yearly Urchava Festival" of Arulmigu Mandu Kaliyamman Thirukoil situated at N.Paraipatti Post, Vendasandur Taluk, Dindigul District.

2.Heard Mr.M.S.Jeyakarthik, learned counsel appearing for the petitioner and Mr.B.Bhagawathi, learned Government Advocate appearing for the respondent.

3.The learned counsel for the petitioner has submitted that the petitioner and his Village members have decided to conduct a "Aadalum Paadalum" dance programme on 01.03.2018 in the eve of the "Yearly Urchava Festival" of Arulmigu Mandu Kaliyamman Thirukoil situated at N.Paraipatti Post, Vendasandur Taluk, Dindigul District. Hence, the petitioner gave a representation to the respondent, seeking permission and provide police protection, but the respondent has rejected the said representation without assigning any valid reason and hence the said impugned order has to be quashed.



4.The learned Additional Government Pleader has submitted that since the communal problems are coming, there is a possibility of law and order problem in the said village. Therefore, the petitioner's representation has been rejected by the respondent. He further submitted that since the petitioner is seeking permission for conducting "Aadalum Paadalum" through out the night as per the judgment of the Honourable Supreme Court of India in **Church of God (Full Gospel) in India Vs K.K.R.Magestic Colony Welfare Association and Others, 2001-1LW (CRL) 233**, using a loud speaker or a public address system after 10.00 p.m cannot be permitted and hence the petitioner's representation was rejected.

5.In the impugned order, the respondent has stated that since in the surrounding villages the people belonging to different communities are residing, if the petitioner is permitted to conduct "Aadalum Paadalum" programme that it would create law and order problem. The said reason cannot be accepted. Without mentioning any specific incident, he cannot pass such kind of order. Hence the said order has to be quashed.

6.Since the petitioner is seeking permission for conducting "Aadalum Paadalum" during night hours, as per the aforesaid decisions of the Honourable Supreme Court of India, he cannot be permitted to use a loudspeaker or a public address system between 10.00 p.m and 06.00 p.m. Therefore, the respondent is directed to consider the petitioner's representation and pass appropriate order by keeping in mind the aforesaid decisions of the Honourable Supreme Court of India.

7.With the aforesaid observations, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

The Sub Inspector of Police,
Dindigul Taluk Police Station,
Dindigul.

+1cc to Mr.M.S.Jeyakarthik, Advocate Sr.No.48784
+1cc to Spl.Government Pleader Sr.No.48986

CP

VB/SV/MMS/SAR4/23.02.2018/2P/4C