



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 21.02.2018

CORAM
THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

WEB COPY

W.P. (MD) No.3594 of 2018

K.Esakki

... Petitioner

-Vs-

1.The Superintendent of Police,
Thoothukudi District.

2.The Inspector of Police,
Kayatharu Police Station,
Thoothukudi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to grant permission and give police protection to conduct the "Adalum Padalum" dance program between 7.00 pm and 12.00 am on 27.02.2018 in pursuance to the festival of "Arulmighu Komundeeswari Amman Thirukovil", situated in North Konarkottai, Vellappaneri, Kayatharu Taluk, Thoothukudi District on considering the petitioner's representation dated 15.02.2018.

For Petitioner : Mr.S.Karthick Subramanian

For Respondents : Mr.V.Anand
Government Advocate

O R D E R

This writ petition has been filed to direct the respondents herein to grant permission and give police protection to conduct the "Adalum Padalum" dance program between 7.00 pm and 12.00 am on 27.02.2018 in pursuance to the festival of "Arulmighu Komundeeswari Amman Thirukovil", situated in North Konarkottai, Vellappaneri, Kayatharu Taluk, Thoothukudi District on considering the petitioner's representation dated 15.02.2018.

2.Heard, Mr.S.Karthick Subramanian, learned counsel appearing for the petitioner and Mr.V.Anand, learned Government Advocate appearing for the respondents.

3.The learned counsel appearing for the petitioner submitted that the petitioner is one of the Villagers of the said Village. The villagers are conducting "Adalum Padalum" dance program for the past several years and this year, they have decided to conduct "Adalum Padalum" dance program on 27.02.2018 and for that, they have already given a representation dated 15.02.2018 to the



respondents, but, sofar, no order has been passed. Hence, he has filed the present writ petition.

4.The learned Government Advocate appearing for the respondents submitted that there is a law and order problem and hence, the petitioner's representation has not been disposed of. He also filed the written objection by the second respondent.

5.In the written objection filed by the second respondent, he has stated that with regard to construction of temple, already dispute arose and hence, the construction of the temple has been stopped, as per the decision taken by the peace committee. Under the said circumstances, if permission is granted for conducting "Adalum Padalum" dance program, that would create communal and also law and order problem. But, he has not produced any material to show that the construction of the temple has been stopped, as per the decision taken by the peace committee. Further the petitioner is seeking a limited relief for conducting cultural programme, that is "Adalum Padalum" dance program. With regard to that programme, the second respondent has not stated any specific incident, which, created law and order problem.

6.Considering the facts and circumstances of the case, the second respondent is directed to consider the representation submitted by the petitioner dated 15.02.2018 and dispose of the same at an early date. At the time of passing order, the respondent has to keep in mind the decision of the Hon'ble Supreme Court of India in the case of *Church of God (Full Gospel) in India Vs. K.K.R, Majestic Colony Welfare Association and others*, reported in 2001 - 1 - L.W. (Crl.) 233.

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

Sd/-

Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Thoothukudi District.

2.The Inspector of Police,
Kayatharu Police Station,
Thoothukudi District.

+1cc to Mr.S.KARTHICK SUBRAMANIAN,Advocate,SR.50178

+1cc to M/S.Special Government Pleader,SR. 50781

W.P. (MD) No.3594 of 2018
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