



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2018

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THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

W.P.(MD) Nos.3918 of 2018 & 3947 of 2018W.P.(MD) No.3918 of 2018

Nachiappan

... Petitioner

-Vs-

The Inspector of Police,
Kallal Police Station,
Sivagangai District.

... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondent to grant permission to perform the programme of "Adal Padal" on 01.03.2018 night at "Arulmigu Sri Somasundram Soundara Nayagi Amman, Kunnamma Kaliyamman Thirukovil is situated at Kallal, Karaikudi Taluk, Sivagangai District and to provide adequate police protection based on the petitioner's representations dated 22.02.2018.

For Petitioner : Mr.S.Bharathi

For Respondent : Mr.V.Anand
Government AdvocateW.P.(MD) No.3947 of 2018

M.Ravikumar

... Petitioner

-Vs-

1.The Superintendent of Police,
Sivagangai District,
Sivagangai.

2.The Inspector of Police,
Kallal Police Station,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant permission and necessary police protection to perform the cultural programme (ie.,) "Adal Padal" dance programme on 01.03.2018 at 7.00 p.m to 11.00 p.m in the festival of "Arulmighu Sri Kunnammal Kaliyamman Somasundareshwar SoundaraNayagi Thirukovil Thiruvizha at Kallal, Sivagangai District.



For Petitioner : Mr.V.Manikandan
For Respondents : Mr.V.Anand
Government Advocate

COMMON ORDER

These writ petitions have been filed to direct the respondents to grant permission and necessary police protection to perform the cultural programme (ie.,) "Adal Padal" dance programme on 01.03.2018 night at "Arulmighu Sri Somasundaram SoundaraNayaki Amman, Kunnamma Kalamman Thirukovil" is situated at Kallal, Sivagangai District.

2.Heard, Mr.S.Bharathi, learned counsel appearing for the petitioner in W.P.(MD) No.3918 of 2018, Mr.V.Manikandan, learned counsel appearing for the petitioner in W.P.(MD) No.3947 of 2018 and Mr.V.Anand, learned Government Advocate, appearing for the respondents in both Writ Petitions.

3.The learned Government Advocate has submitted that the petitioners in both the petitions, are seeking permission for performing "Adal Padal" programme on 01.03.2018 at "Arulmighu Sri Somasundaram SoundaraNayaki Amman, Kunnamma Kalamman Thirukovil" is situated at Kallal, Sivagangai District. If permission is granted to both the petitioners to perform "Adal Padal" programme on the same day, it would be very difficult for the Inspector of Police, Kallal Police Station to provide adequate police protection to both the parties.

4.The learned counsel for the petitioner in WP(MD)No.3918 of 2018 has submitted that if the police is having any difficulty to provide police protection for performing the "Adal Padal" programme for both the petitioners, he requests the Court to direct the Inspector of Police, Kallal Police Station to give permission and protection to perform the cultural programme for the petitioner in WP(MD)No.3918 of 2018 on 02.03.2018.

5.Considering the aforesaid submissions, the Inspector of Police, Kallal Police Station is directed to consider the submissions of the petitioners and pass appropriate orders in accordance with law. At the time of passing orders, The Inspector of Police, Kallal Police Station 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 Ors, reported in 2001 - 1 - L.W. (Crl.) 233.

6.With the aforesaid observations, these writ petitions are disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/



To

1.The Superintendent of Police,
Sivagangai District, Sivagangai.

2.The Inspector of Police,
Kallal Police Station,
Sivagangai District.

+1CC to Mr.V.Manikandan, Advocate, SR.No. 51413

+1CC to M/s.S.Bharathi., Advocate, SR.No. 51450

+1CC to the Special Government Pleader SR.No.51637 and 51635

W.P.(MD) Nos.3918 & 3947 of 2018

Dss

AM/SV MMS/SAR 3/27.02.2018/3P/6C