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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.08.2018

CORAM:
THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
W.P.[MD].Nos.17797 to 17799, 17825, 17831, 17832, 17870, 17871 and 17873 of 2018

T.NATARAJA ... PETITIONER IN W.P.(MD).No.17797 of 2018

K.BALAMURUGAN ... PETITIONER IN WP(MD). 17798/ 2018

R.MUTHUGANESH ... PETITIONER IN WP(MD). 17799/ 2018

P.VEERAMALLU PERIASAMY ... PETITIONER IN WP(MD). 17825/ 2018

V.ALAGAPPAN ... PETITIONER IN WP(MD). 17831/ 2018

M.THIRUNAVKKARASU ... PETITIONER IN WP(MD). 17832/ 2018

AYYADURAI ... PETITIONER IN WP(MD). 17870/ 2018

P.SELVARAJ ... PETITIONER IN WP(MD). 17871 / 2018

A.S.GNANASEKAR ... PETITIONER IN WP(MD). 17873/ 2018

Vs.

1.THE SUPERINTENDENT OF POLICE,
SIVAGANGAI DISTRICT, SIVAGANGAI.

2.THE INSPECTOR OF POLICE,
MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT. ...RESPONDENTS IN W.P.(MD).No.17797 of 2018

1 THE COMMISSIONER OF POLICE MADURAI CITY, MADURAI.

2 THE INSPECTOR OF POLICE KARIMEDU POLICE STATION, MADURAI.

... Respondents in WP(MD). 17798/ 2018

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1 THE SUPERINTENDENT OF POLICE, VIRUDHUNAGAR DISTRICT, VIRUDHUNAGAR

2 THE INSPECTOR OF POLICE, ALANGULAM POLICE STATION,
VIRUDHUNAGAR DISTRICT. ... Respondent(s) in WP(MD). 17799/ 2018

1 THE SUPERINTENDENT OF POLICE THOOTHUKUDI DISTRICT,
THOOTHUKUDI.

2 THE INSPECTOR OF POLICE OTTAPIDARAM POLICE STATION,
THOOTHUKUDI DISTRICT. ... Respondent(s) in WP(MD). 17825/ 2018

1 THE SUPERINTENDENT OF POLICE PUDUKKOTTAI DISTRICT,
PUDUKKOTTAI.

2 THE INSPECTOR OF POLICE NAMUNASAMUTHIRAM POLICE STATION,
PUDUKKOTTAI DISTRICT. ... Respondent(s) in WP(MD). 17831/ 2018

1 THE SUPERINTENDENT OF POLICE, PUDUKKOTTAI DISTRICT, PUDUKKOTTAI

2 THE SUB INSPECTOR OF POLICE, KEERANUR POLICE STATION,
PUDUKKOTTAI DISTRICT. ... Respondent(s) in WP(MD). 17832/ 2018

1 THE SUPERINTENDENT OF POLICE, THOOTHUKUDI DISTRICT, THOOTHUKUDI
2 THE INSPECTOR OF POLICE KAYATHAR POLICE STATION,
THOOTHUKUDI DISTRICT ... Respondent(s) in WP(MD). 17870/ 2018

1 THE SUPERINTENDENT OF POLICE, TRICHY DISTRICT.
2 THE INSPECTOR OF POLICE, PULIVALAM POLICE STATION,
TRICHY DISTRICT. ... Respondent(s) in WP(MD). 17871/ 2018

1 THE DEPUTY SUPERINTENDENT OF POLICE, OFFICE OF THE DEPUTY
SUPERINTENDENT OF POLICE, VALLIOOR, TIRUNELVELI DISTRICT
2 THE INSPECTOR OF POLICE, UVARI POLICE STATION,
UVARI, TIRUNELVELI DISTRICT
... Respondent(s) in WP(MD). 17873/ 2018

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to grant permission and necessary police protection to perform the cultural programme (ie.,) Adal Padal Dance Programme on 12.08.2018 at 07.00 pm to 11.00 pm in the festival of Arulmighu Sri Kallukottai Muniyandi Thirukovil at Moongilurani, Manamadurai Taluk, Sivagangai District.

Prayer in WP(MD). 17798/ 2018 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue Writ of Mandamus directing the respondents to grant permission for conducting Adal Padal kalai Nigalchi scheduled on 12.08.2018 between 7 pm to 10 pm in pursuance with the 43rd Urchava Vizha of Arulmighu Kaliamman Thirukovil situated at manjalmedu Colony, Arapalayam, Madurai and consequently to provide adequate protection

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on the basis of the representation dated 03.08.2018

Prayer in WP(MD). 17799/ 2018 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents herein to accord necessary permission and provide adequate police protection on 12.08.2018 and 13.08.2018 during the conduct of the Adal Padal programme at Sri Varadaraja Perumal and Sri Kaliamman Temple situated at Alangulam Village, Virudhunagar from 6 pm to 11 p.m on the basis of petitioner representation dated 07.08.2018

Prayer in WP(MD). 17825/ 2018 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue Writ of Mandamus directing the respondent herein to accord necessary permission and provide adequate police protection on 11.8.2018 during the conduct of the Adal Padal programme at Sri Muneeswarar and Karuppassamy Temple situated at Ahilandewarapuram, Thoothukudi District from 06.00 pm to 11.00 pm on the basis of my representation dated 07.08.2018

Prayer in WP(MD). 17831/ 2018 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue Writ of Mandamus directing the 2nd respondent to give permission with protection to conduct the cultural function Aaadal-Paadal at Thalampatti Public Stage in connection with the Padayal Festival of Arulmigu Sri Kalabairavar Temple, Thalampatti, Thirumayam, Pudukkottai District, scheduled on 17.08.2018 at about 07.00 pm to 12.00 am based on the petitioner s representation dated 02.08.2018

Prayer in WP(MD). 17832/ 2018 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent to give permission with protection to conduct the cultural function Aadal-Paadal at Perandayapatti Public Stage in connection with the Aavani Full Moon Festival of Arulmigu Sri Siddhi Vinayagar Temple, Perandayapatti, Kulathur, Pudukkottai District, scheduled on 26.08.2018 at about 07.00 p.m., to 12.00 a.m., based on the petitioners representation dated 02.08.2018

Prayer in WP(MD). 17870/ 2018 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue Writ of Mandamus directing the respondents to grant permission and protection for cultural event namely Adalpadal scheduled to be held on 14.08.2018 at night in connection with Aadi Festival in Arulmigu Sri Chinna Mariamman Temple at Usilankulam Village, Kayathar Taluk, Thoothukudi District, by consider the petitioners representation dated 27.07.2018.

Prayer in WP(MD). 17871/ 2018 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue Writ of Mandamus directing the respondents to permit the petitioner to conduct the cultural function viz., Adal Padal Programme during the temple festival of Karupusamy Temple Peramangalam & Post, Musri

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Taluk Trichy District on 13.08.2018 between 08.00 pm to 12.00 pm and further direct the respondent to give adequate police protection for the above said programme

Prayer in WP(MD). 17873/ 2018 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 2nd Respondent to grant permission to the Petitioner to conduct the Devotional concert scheduled on 29.08.2018 at about 8 pm to 11 pm and Musicale Troupe (inn issai Kacharre) function in Karikovil Arulmigu Sri Mutharamamman Temple festival at Karikovil village, Rathapuram Taluk, Tirunelveli District.

For Petitioner : Mr.V.Manikandan
WP 17798/18 :Mr.S.Vijayaikumara Raja(for Petitioner)
WP 17799 and
WP 17825/18 :Mr.V.Maharajan(for Petitioner)
WP 17831/18 and
WP 17832/18 :Mr.A.Prasanna Rajadurai for M/s.S.Muthal Raj(for Petitioner)
WP 17873/18 :Mr.V.Balasubramanian (for Petitioner)

For Respondents
in WP 17797 to 17799
17825,17831,17832 and
17873/18 :Mr.A.K.Baskarapandian, Special Government Pleader

Wps 17870/18 and 17871/18 :Mr.N.Shanmugaselvam, AGP (For Respondents)

*****

COMMON ORDER

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[Order of the Court was made by M.M.SUNDRESH, J.]

These Writ Petitions have been filed as Public Interest Litigations seeking directions to the respondents to accord permission and protection for the functions and to conduct "Aadal-Padal Cultural Programme".

2. We are of the view that no public interest is involved in these Writ Petitions. We feel that the need to approach this Court would not have arisen, if only the respondent police considered the request of the petitioners within a reasonable time, i.e., at least two days from the date of receipt of representations. Thus, without expressing any opinion on the merits of the case, we direct the Inspector of Police/Sub-Inspector of Police concerned in all the Writ Petitions to consider and pass appropriate orders on the representations submitted by the petitioners within a period of two days. In the event of granting permission, the respondent police

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shall always impose any reasonable conditions, as has been imposed in the earlier occasions.

3. Considering the issue involved, which will be recurring in nature, we direct the Inspector General of Police, South Zone and the Central Zone to issue appropriate directions in this regard to all the police officers concerned coming within their jurisdiction, who would be otherwise dealing with such cases, to take decisions within a period of two days from the date of receipt of representations from the petitioners so that the Courts will not be troubled.

4. It is brought to the notice this Court by Mr.A.K.Baskarapandian, learned Special Government Pleader, that the Writ Petitions are being filed, after giving representations in the previous days.

5. We find considerable force in the said submission made by the learned Special Government Pleader. Our directions can never be implemented, if the petitioners rush to this Court on the very next day, after giving representations. Therefore, the persons, who seek permission to conduct cultural programme, are required to give representations at least two weeks before the proposed cultural programmes and thereafter, the directions, as given above, will have to be complied with by the police officer concerned.

6. All the Writ Petitions are disposed of on the above terms. No costs.

Sd/
Assistant Registrar (CS-II)

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Sub Assistant Registrar (CS-I)

To

1.THE INSPECTOR GENERAL OF POLICE,
SOUTH ZONE, MADURAI.

2.THE INSPECTOR GENERAL OF POLICE,
CENTRAL ZONE, TIRUCHI.

3.THE SUPERINTENDENT OF POLICE,
SIVAGANGAI DISTRICT, SIVAGANGAI.

4.THE INSPECTOR OF POLICE,
MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT.

5 THE COMMISSIONER OF POLICE, MADURAI CITY, MADURAI.

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6 THE INSPECTOR OF POLICE KARIMEDU POLICE STATION, MADURAI.

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7 THE SUPERINTENDENT OF POLICE,
VIRUDHUNAGAR DISTRICT, VIRUDHUNAGAR

8 THE INSPECTOR OF POLICE,
ALANGULAM POLICE STATION, VIRUDHUNAGAR DISTRICT.

9 THE SUPERINTENDENT OF POLICE THOOTHUKUDI DISTRICT,
THOOTHUKUDI.

10 THE INSPECTOR OF POLICE OTTAPIDARAM POLICE STATION,
THOOTHUKUDI DISTRICT.

11 THE SUPERINTENDENT OF POLICE PUDUKKOTTAI DISTRICT,
PUDUKKOTTAI.

12 THE INSPECTOR OF POLICE NAMUNASAMUTHIRAM POLICE STATION,
PUDUKKOTTAI DISTRICT.

13 THE SUPERINTENDENT OF POLICE, PUDUKKOTTAI DISTRICT, PUDUKKOTTAI

14 THE SUB INSPECTOR OF POLICE
KEERANUR POLICE STATION, PUDUKKOTTAI DISTRICT

15 THE INSPECTOR OF POLICE,
KAYATHAR POLICE STATION,THOOTHUKUDI DISTRICT

16 THE SUPERINTENDENT OF POLICE, TRICHY DISTRICT.

17 THE INSPECTOR OF POLICE,
PULIVALAM POLICE STATION,
TRICHY DISTRICT.

18 THE DEPUTY SUPERINTENDENT OF POLICE,
OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE,
VALLIOOR, TIRUNELVELI DISTRICT

19 THE INSPECTOR OF POLICE UVARI POLICE STATION,
UVARI, TIRUNELVELI DISTRICT
+2cc to Mr.NA.PALANIYANDI, Advocate, SR.No. 78098,78099
+1cc to Mr.V.BALASUBRAMANIAN, Advocate, SR.No.78105
+2cc to Mr.K.VEILMUTHU, Advocate, SR.No.78111,78110
+2cc to Mr.V.MAHARAJAN, Advocate, SR.No. 78153,78154
+1cc to Mr.S.VIJAYAKUMARA RAJA, Advocate, SR.No.78179
+1cc to Mr.V.MANIKANDAN, Advocate, SR.No.78255
+2cc to M/s.Special Government Pleader,SR.No. 78233,78241

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