



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.(MD)No.9677 of 2018

V.Subramanian

: Petitioner

Vs.

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

2.The Inspector of Police,
Sethubavachatram Police Station,
Sethubavachatram,
Thanjavur District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents to grant permission and to provide police protection to conduct the "Aadalum Paadalum" dance programme on 30.04.2018 at night 07.00 p.m. to 11.00 p.m. in pursuant to the temple Festival of Arulmigu Sree Adaikalam Katha Ayyanar Thirukoil, situated at Thillankadu Village, Pattukkottai Taluk, Thanjavur District, by considering the petitioner's representation, dated 24.04.2018.

For Petitioner

: Mr.S.Deenadhayalan

For Respondents

: Mr.M.Karuppasamy

Government Advocate

O R D E R

The petitioner has come forward with the present Writ Petition seeking a Writ of Mandamus directing the respondents to grant permission and to provide police protection to conduct the "Aadalum Paadalum" dance programme on 30.04.2018 at night 07.00 p.m. to 11.00 p.m. in pursuant to the temple Festival of Arulmigu Sree Adaikalam Katha Ayyanar Thirukoil, situated at Thillankadu Village, Pattukkottai Taluk, Thanjavur District, by considering the petitioner's representation, dated 24.04.2018.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3. According to the petitioner, he made a representation dated 24.04.2018 to the respondents to grant permission for conducting Aadalum Paadal cultural programme on 30.04.2018 at 07.00 p.m. to 11.00 p.m., at Arulmigu Sree Adaikalam Katha Ayyanar Thirukoil,



situated at Thillankadu Village, Pattukkottai Taluk, Thanjavur District. As no order has been passed in the said representation, the petitioner has filed this writ petition with the aforesaid prayer.

4. The learned Government Advocate appearing for the respondents submitted that the petitioner sent a representation on 24.04.2018 and the programme scheduled to be held on 30.04.2018 and the petitioner's representation is still pending with the second respondent. He further submitted that in the previous year, the organizers of the programme in the same temple have violated the conditions by way of putting the speaker volume beyond the prescribed decibel. It caused much inconvenience to the general public. Therefore, a case has been registered in Crime No.69 of 2017. Hence, if the petitioner undertakes to abide the conditions, this Court may pass appropriate orders to consider the petitioner's representation on merits and in accordance with law.

5. The learned counsel for the petitioner undertakes to file an affidavit to the authorities concerned to the extent that he will not violate the conditions.

6. Considering the submission made by both parties, without going into the merits of the case, this Court directs the second respondent to consider the petitioner's representation dated 30.04.2018 and pass appropriate orders on merits and in accordance with law on or before 28.04.2018 by taking into consideration of the conditions imposed by this Court in W.P.(MD)No.7911 of 2018, dated 12.04.2018. The petitioner shall enclose a copy of a representation dated 24.04.2018 and the undertaking affidavit along with a copy of this order to the second respondent. However, it is made clear that if there is any violation in future, the permission shall not be granted.

7. This writ petition is disposed of, with the above direction. No costs.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police, Sethubavachatram Police Station,
Sethubavachatram, Thanjavur District.

+1CC to Mr.S.Deenadhayalan, Advocate, SR.No. 63741

+1CC to the Special Government Pleader SR.No.64234

W.P.(MD)No.9677 of 2018