



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.05.2018

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WEB COPY

THE HON'BLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.11026 of 2018

Muthusamy

... Petitioner

Vs.

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

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

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents herein to grant permission and to provide police protection to conduct the "Aadalum Paadalum" dance programme on 24.05.2018 from 08.00pm., to 12.00pm., in pursuant to the "Vaikasi Thiruvizha" of Arulmigu Sree Uchi Mahaliamman Thirukovil, situated at Thiruvananthapuram Village, Ottapidaram Taluk, Thoothukudi District by considering the petitioner's representation dated 14.05.2018.

For Petitioner : Mr.D.Ramesh Kumar
For Respondents : Mr.M.Murugan
Government Advocate

ORDER

The prayer in this writ petition is to direct the respondents to grant permission and to provide police protection to conduct the "Aadalum Paadalum" dance programme on 24.05.2018 from 08.00pm., to 12.00pm., in pursuant to the "Vaikasi Thiruvizha" of Arulmigu Sree Uchi Mahaliamman Thirukovil, situated at Thiruvananthapuram Village, Ottapidaram Taluk, Thoothukudi District by considering the petitioner's representation dated 14.05.2018.

2.Heard the learned counsel for the petitioner as well as the learned Government Advocate appearing on behalf of the respondents.

3.In an identical matter, a Division Bench of this Court in an order passed in **W.P. (MD) No.8975 of 2017 dated 10.05.2017 [M.Sakthi Vs. State rep. by the Inspector of Police, Odapatti Police Station, Odapatti, Theni District]**, had granted permission to the petitioner to conduct cultural programme on certain conditions. The said



conditions read as follows:

"a) The event shall be conducted in an organised and peaceful manner without causing law and order problem.

b) There shall not be any obscene or vulgar scenes during the dance performance by any one of the participants or others.

c) The dance performance shall be restricted between 6.00 p.m. and 11.00 p.m.

d) If there is any violation of the above said conditions, the respondent or the duly authorised officer is entitled to take necessary action as per law and stop such performance.

e) In case if there is any discrepancy with regard to the date on which the program is to be conducted, it would be open to the respondent police to extend protection on some other day after giving due notice to the petitioner"

4. I am of the view that similar conditions may also be imposed in the present writ petition. Consequently, the Writ Petition Stands allowed. The second respondent is directed to grant permission to the writ petitioner to conduct the "Vaikasi Thiruvizha" of Arulmigu Sree Uchi Mahaliyamman Thirukovil, situated at Thiruvananthapuram Village, Ottapidaram Taluk, Thoothukudi District, on 24.05.2018 subject to the aforesaid conditions. There shall be no order as to costs.

Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

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

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

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 65678

+ 1 CC TO Mr.D.RAMESHKUMAR, ADVOCATE IN SR No. 65392

DAS/NS

TE/SKN-RSK/SAR-3 : 23/05/2018 : 2P/5C