



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 16.05.2018

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

W.P. (MD) No.11024 of 2018

Karupanasamy

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Theni District.

2.The Inspector of Police,
Palanichettypatti Police Station,
Palanichettypatti,
Theni District.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of certiorarified mandamus, to quash the impugned order passed by the second respondent in his proceedings in C.No.37/Mike/C1PS/TNI/2017 dated 02.05.2018 and consequently to direct the respondents to grant permission to the petitioner to conduct the Adal & Padal function scheduled on 23.05.2018 at about 8 pm to 11 pm in Sri Kanniamman Temple festival at Veerachinnammal Puram Village, Theni District.

For Petitioner : Mr.R.Rajesh
For Respondents : Mr.M.Murugan,
Government Advocate

O R D E R

The prayer in this writ petition is to quash the impugned order passed by the second respondent in his proceedings C.No.37/Mike/C1PS/TNI/2017 dated 02.05.2018 and consequently to direct the respondents to grant permission and protection for the Cultural Program (Aadal Paadal) in "Sri Kanniamman Temple festival situated at Veerachinnammal Puram Village, Theni District, which is to be held on 23.05.2018.

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 and the impugned order passed by the second respondent in proceedings 37/Mike/C1PS/TNI/2017 dated 02.05.2018 is set aside and the second respondent is directed to grant permission to the writ petitioner to conduct the cultural programme in "Sri Kanniamman Temple festival situated at Veerachinnammal Puram Village, Theni District, on 23.05.2018, 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,
Office of the Superintendent of Police,
Theni District.

2.The Inspector of Police,
Palanichettypatti Police Station,
Palanichettypatti,
Theni District.

+1cc to Special Government Pleader, Sr.No.65759
+1cc to Mr. Ramesh Babu, Advocate, Sr.No.65514.

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16.05.2018