



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.05.2018

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.11028 of 2018

and

W.M.P. (MD) No.10129 of 2018

A.Elangovan

.. Petitioner

Vs.

1. The Superintendent of Police,
O/o. Superintendent of Police,
Karur District.

2. The Inspector of Police,
Palaviduthi Police Station,
Karur District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents take action on petitioner's representation dated 24.04.2018 to provide and permission to hold the festival and consequently programs in plays from 04.06.2018 to 09.06.2018 at Sri Mariamman, Sri Bagavathyamma, Sri Naga Ammal, Sri Vinayagar, Sri Pampalamman, Sri Muniyappa Samy and Sri Balamurugan Thirukovil situated at Thalivasal, Mullipadi village, Kadavoor Taluk, Karur District.

For Petitioner : Mr.N.Mohideen Basha

For Respondents : Mr.M.Murugan
Government Advocate

O R D E R

The prayer in this writ petition is to direct the respondents to provide and permission to hold the festival and consequently programs in plays from 04.06.2018 to 09.06.2018 at Sri Mariamman, Sri Bagavathyamma, Sri Naga Ammal, Sri Vinayagar, Sri Pampalamman, Sri Muniyappa Samy and Sri Balamurugan Thirukovil situated at Thalivasal, Mullipadi village, Kadavoor Taluk, Karur District.



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 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 cultural programme from 04.06.2018 to 09.06.2018 at Sri Mariamman, Sri Bagavathyamman, Sri Naga Ammal, Sri Vinayagar, Sri Pampalamman, Sri Muniyappa Samy and Sri Balamurugan Thirukovil situated at Thalivasal, Mullipadi village, Kadavoor Taluk, Karur District subject to the aforesaid conditions. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar



To

1. The Superintendent of Police,
O/o. Superintendent of Police,
Karur District.

2. The Inspector of Police,
Palaviduthi Police Station,
Karur District.

+ 1 cc TO Mr.N.Mohideen Basha , Advocate in SR No. 65576
+ 1 cc TO The Special Government Pleader in SR No. 65757

ls/ns

AE/SV MMS/SAR4/23.05.2018/3P/5C

W.P. (MD) No.11028 of 2018
16.05.2018