



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.05.2018

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH**W.P.(MD)No.11047 of 2018**

M.Suresh

.. Petitioner

Vs.

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

2.The Inspector of Police,
Achanpudhur Police Station,
Achanpudhur,
Tirunelveli District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the second respondent to give permission and police protection for the event of Cultural program viz. Karakattam, Silampattam, Nathaswaram, Durms and Chendai Melam to be scheduled on 28.05.2018 at the temple festival of Arulmigu Sri Pillaiyar Temple, Neduvayal, Achanpudur, Kadayanallur Taluk, Tirunelveli District by considering the petitioner representation dated 08.05.2018.

For Petitioner : M/s.A.Manonmani
for Mr.M.Mohamed Sherbudeen
For Respondents : Mr.S.Dhayalan
Government Advocate

O R D E R

The prayer in this writ petition is to direct the second respondent to give permission and police protection for the event of Cultural program viz. Karakattam, Silampattam, Nathaswaram, Durms and Chendai Melam to be scheduled on 28.05.2018 at the temple festival of Arulmigu Sri Pillaiyar Temple, Neduvayal, Achanpudur, Kadayanallur Taluk, Tirunelveli District by considering the petitioner's representation dated 08.05.2018.

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 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 of Arulmigu Sri Pillaiyar Temple, Neduvayal, Achanpudur, Kadayanallur Taluk, Tirunelveli District 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,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Achanpudhur Police Station,
Achanpudhur,
Tirunelveli District.

+1cc to Special Government Pleader, Sr.No.65743.

+1cc to Mr.M.Mohamed Sherbudeen, Advocate, Sr.No.65694.

W.P.(MD)No.11047 of 2018
16.05.2018

IS/NS

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RAM/RSK SKN/SAR 4/22.05.2018/2P/5C