



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.05.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.11113 of 2018

K.Nagamuthu

: Petitioner

Vs.

1.The Superintendent of Police,
Ramanathapuram District.

2.The Inspector of Police,
Emaneshwaram Police Station,
Ramanathapuram 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 for conducting Karakattam and its consecutive program viz. Karuthamacchan Gramiya Kalai Nikazchi scheduled on 03.06.2018 at about 07.00 p.m to 12.30 a.m in pursuance to annual festival of Arulmigu Sathar Udaiyar Ayyanar and Valampuri Karpaga Vinayagar Temple Situated at Gandhi Nagar, Emaneshwaram Post, Paramakudi Taluk and consequently to provide adequate protection on the basis of the representation dated 11.05.2018.

For Petitioner	: Mr.K.Sathiyamoorthy
For Respondents	: Mr.M.Murugan
	Government Advocate

O R D E R

The prayer in this writ petition is to direct the respondents to grant permission for conducting Karakattam and its consecutive program viz. Karuthamacchan Gramiya Kalai Nikazchi scheduled on 03.06.2018 at about 07.00 p.m to 12.30 a.m in pursuance to annual festival of Arulmigu Sathar Udaiyar Ayyanar and Valampuri Karpaga Vinayagar Temple situated at Gandhi Nagar, Emaneshwaram Post, Paramakudi Taluk and consequently to provide adequate protection on the basis of the representation dated 11.05.2018.

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:

<https://hcservices.ecourts.gov.in/hcservices/>

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 "Karakattam" and its consecutive program viz. Karuthamacchan Gramiya Kalai Nikazchi at Arulmigu Sathar Udaiyar Ayyanar and Valampuri Karpaga Vinayagar Temple, Gandhi Nagar, Emaneshwaram Post, Paramakudi Taluk, Ramanathapuram District on 03.06.2018 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,
Ramanathapuram District.

2. The Inspector of Police,
Emaneshwaram Police Station,
Ramanathapuram District.

+1CC to Mr.K.Sathiya Moorthy, Advocate in SR.No.65483,
+1CC to Special Government Pleader in SR.No.65640.

SJI/NS

DS/JC/SAR-3 :23.05.2018: 2P/5C

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