



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.05.2018

CORAM

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

W.P. (MD) No.11099 of 2018

P.Chinna Mariappan

... Petitioner

Vs.

1.The Superintendent of Police
Tirunelveli District
Tirunelveli

2.The Inspector of Police
Vasudevanallur Police Station
Tirunelveli District

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the 2nd Respondent dated Nil and quash the same, consequently directing the Respondents to grant permission and necessary protection to perform the cultural programme (ie.) Adal Padal on the eve of Arulmigu Sri Selva Vinayagar Temple and Arulmigu Mariamman Kovil Vaigasi Pongal Festival at Vasudevanallur, Sivagiri Taluk Tirunelveli District which is to be held on 28.05.2018.

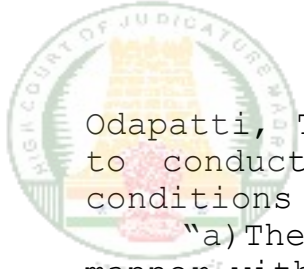
For Petitioner : Mr.G.Thalaimutharasu
For Respondents : Mr.A.Muthu Karuppan
Additional Government Pleader

O R D E R

The prayer in this writ petition is to call for the records relating to the impugned order passed by the 2nd Respondent dated Nil and quash the same, consequently directing the Respondents to grant permission and necessary protection to perform the cultural programme (ie.) Adal Padal on the eve of Arulmigu Sri Selva Vinayagar Temple and Arulmigu Mariamman Kovil Vaigasi Pongal Festival at Vasudevanallur, Sivagiri Taluk Tirunelveli District which is to be held on 28.05.2018.

2.Heard the learned counsel for the petitioner as well as the learned Additional Government Pleader 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 is set aside and the second respondent is directed to grant permission and necessary protection to perform the cultural programme (ie.) Adal Padal on the eve of Arulmigu Sri Selva Vinayagar Temple and Arulmigu Mariamman Kovil Vaigasi Pongal Festival at Vasudevanallur, Sivagiri Taluk, Tirunelveli District which is to be held on 28.05.2018 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
Tirunelveli District
Tirunelveli

2. The Inspector of Police
Vasudevanallur Police Station
Tirunelveli District

+1CC to Mr.G.Thalaimutharasu Advocate, SR.No. 65438

W.P. (MD) .No.11099 of 2018

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AM/SKN RSK/SAR 3/23.05.2018/2P/4C