



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.05.2018

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESHW.P.(MD) No.11154 of 2018

WEB COPY

Gopalakrishnan

... Petitioner

Vs.

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

2.The Inspector of Police,
Sethubavachathiram Police Station,
Thanjavur District.

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India to issue a writ of mandamus to direct the second respondent to consider the petitioner representation dated 14.05.2018 to grant permission to conduct the "Kovil Thiruvizha" as well as other programmes and also to conduct the "Aadal Padal" on 22.05.2018 at about 09.00 p.m., to 01.00 p.m., in temple namely "Arulmigu Adaikalamkatha Ayyanar Kovil" at Serupalakkadu, Peravurani Taluk, Thanjavur District.

For Petitioner : Mr.M.Muthumanickam

For Respondents : Mr.M.Murugan
Government Advocate.**O R D E R**

The prayer in this writ petition is to direct the second respondent to consider the petitioner representation dated 14.05.2018 to grant permission to conduct the "Kovil Thiruvizha" as well as other programmes and also to conduct the "Aadal Padal" on 22.05.2018 at about 09.00 p.m., to 01.00 p.m., in temple namely "Arulmigu Adaikalamkatha Ayyanar Kovil" at Serupalakkadu, Peravurani Taluk, Thanjavur 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 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 cultural programmes at Arulmigu Adaikalamkatha Ayyanar Kovil, Serupalakkadu, Peravurani Taluk, Thanjavur District, on 22.05.2018 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,
Thanjavur District,
Thanjavur.

2.The Inspector of Police,
Sethubavachathiram Police Station,
Thanjavur District.

+1CC to Mr.D.R.Murugesan Advocate in SR.No.65379.

CP/NS
DS/SV/MMS/SAR-1 :18.05.2018: 2P/4C

W.P.(MD) No.11154 of 2018
16.05.2018