



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 16.05.2018

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

W.P. (MD) No.11171 of 2018

Dharmaraj

... Petitioner

Vs.

1.The Superintendent of Police,
Theni District.

2.The Inspector of Police,
Thenkarai Police Station,
Theni District.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents to give permission and police protection to conduct cultural program (Music and Dance) on 26.05.2018 during the temple festival of Arulmighu Kungumakaliyamman temple situated at Lakshmipuram Village, Periyakulam Taluk, Theni District by considering the representation of the petitioner dated 09.05.2018.

For Petitioner : Mr.S.Sekar

For Respondents : Mr.M.Murugan
Government Advocate

O R D E R

The prayer in this writ petition is to direct the respondents to give permission and police protection to conduct cultural program (Music and Dance) on 26.05.2018 during the temple festival of Arulmighu Kungumakaliyamman temple situated at Lakshmipuram Village, Periyakulam Taluk, Theni District by considering the representation of the petitioner dated 09.05.2018.

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 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 programme at "Arulmighu Kungumakaliamman Temple", Lakshmipuram Village, Periyakulam Taluk, Theni District on 26.05.2018 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,
Theni District.

2. The Inspector of Police,
Thenkarai Police Station,
Theni District.

+1cc to Mr. S. Sekar, Advocate, SR.No.65388.

+1cc to Special Government Pleader, SR.No.65687.

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RAM/RSK SKN/SAR 3/23.05.2018/2P/5C