



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.11174 of 2018

K.Panneer

... Petitioner

Vs.

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

2.The Inspector of Police,
Ammaiyanayakkanur Police Station,
Dindigul 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 pertaining to the proceedings C.No.19/Memo/N2PS/2018 dated 03.05.2018 of the 2nd respondent and quash that portion alone wherein the 2nd respondent rejecting permission for 'Adal Padal' as illegal and consequentially direct the respondents to give police permission and adequate police protection to the festival and 'Adal Padal' dance program scheduled on 25.05.2018 during the Vaikasi Festival at Sri Arulmigu Kali, Sri Bhagavathi, Sri Muthalamman Temple situated in the Boomanapatti village, Dindigul District.

For Petitioner : Mr.B.Jeyakumar

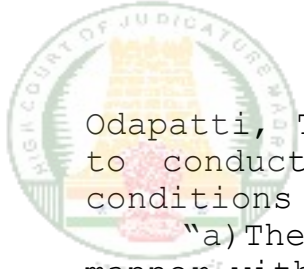
For Respondents : Mr.A.Thiyagarajan
Government Advocate

O R D E R

The prayer in this writ petition is to call for the records pertaining to the proceedings C.No.19/Memo/N2PS/2018 dated 03.05.2018 of the 2nd respondent and quash that portion alone wherein the 2nd respondent rejecting permission for 'Adal Padal' as illegal and consequentially direct the respondents to give police permission and adequate police protection to the festival and 'Adal Padal' dance program scheduled on 25.05.2018 during the Vaikasi Festival at Sri Arulmigu Kali, Sri Bhagavathi, Sri Muthalamman Temple situated in the Boomanapatti village, Dindigul 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 impugned order dated 03.05.2018 is quashed and the Writ Petition stands allowed. The second respondent is directed to grant permission to the writ petitioner to conduct the cultural programme at "Sri Arulmigu Kali, Sri Bhagavathi, Sri Muthalamman Temple", Boomanapatti village, Dindigul District on 25.05.2018 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,
Dindigul District, Dindigul.

2.The Inspector of Police,
Ammaiyanayakkanur Police Station,
Dindigul District.

+1CC to Mr.B.Jeyakumar, Advocate, SR.No. 65535
+1CC to the Special Government Pleader SR.No.65691

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AM/JC/SAR 3/22.05.2018/2P/5C