



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.05.2018

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THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

W.P.(MD)No.11283 of 2018

Sathiyaraj

.. Petitioner

Vs.

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

2.The Inspector of Police,
Elayankudi Police Station,
Sivagangai District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents to grant permission and protection for cultural event namely Adal Padal scheduled to be held on 27.05.2018 at night 09.00pm., to 12.00pm in connection with "Vaikasi Festival" in Arulmigu Sri Rakkatchiamman Temple at Kottaiyur Village, Thiruppathur Taluk, Sivagangai District, by considering the petitioner's representation dated 12.05.2018.

For Petitioner : Mr.E.Balasubramanian

For Respondents : Mr.S.Angappan

Government Advocate

O R D E R

The prayer in this writ petition is to direct the respondents to grant permission and protection for cultural event namely Adal Padal scheduled to be held on 27.05.2018 at night 09.00pm., to 12.00pm in connection with "Vaikasi Festival" in Arulmigu Sri Rakkatchiamman Temple at Kottaiyur Village, Thiruppathur Taluk, Sivagangai District, by considering the petitioner's representation dated 12.05.2018.

2.Mr.S.Angappan, learned Government Advocate takes notice for the respondents.

3.Heard the learned counsel for the petitioner as well as the learned Government Advocate appearing on behalf of the respondents.

4.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 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"

5. 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 programme on 27.05.2018 at "Arulmigu Sri Rakkatchiamman Temple at Kottaiyur Village, Thiruppathur Taluk, Sivagangai District", subject to the aforesaid conditions. There shall be no order as to costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Elayankudi Police Station,
Sivagangai District.

+1CC to Mr.E.Balasubramanian, Advocate, SR.No. 66055
+1CC to the Special Government Pleader SR.No.66130

W.P.(MD)No.11283 of 2018
23.05.2018