



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.05.2018
CORAM

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THE HON'BLE MRS. JUSTICE T.KRISHNAVALLI

W.P. (MD) No.11485 of 2018

K.Tamilselvam

... Petitioner

Vs.

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

2.The sub Inspector of Police,
Manikandam Police Station,
Trichy District.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus, to direct the second respondent to give permission with protection to conduct the cultural function Aadal-Padal at Mattaparaipatty Public Stage in connection with the temple festival of Arulmigu Sri Mariyamman - Sri Bagavathiamman - Sri Kaliyamman Temple, Mattaparaipatty, Sri Rengam, Trichy District scheduled on 06.06.2018 at about 07.00 pm to 12.00 am, based on the petitioner's representation dated 20.05.2018.

For Petitioner : Mr.S.Muthalraj
For Respondents : Mr.P.Karuppasamy
Government Advocate

ORDER

The prayer in this writ petition is to direct the second respondent to give permission with protection to conduct the cultural function Aadal-Padal at Mattaparaipatty Public Stage in connection with the temple festival of Arulmigu Sri Mariyamman - Sri Bagavathiamman - Sri Kaliyamman Temple, Mattaparaipatty, Sri Rengam, Trichy District scheduled on 06.06.2018 at about 07.00 pm to 12.00 am, based on the petitioner's representation dated 20.05.2018.

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 give permission with protection to conduct the cultural function Aadal-Padal at Mattaparaipatty Public Stage in connection with the temple festival of Arulmigu Sri Mariyamman - Sri Bagavathiamman - Sri Kaliyamman Temple, Mattaparaipatty, Sri Rengam, Trichy District scheduled on 06.06.2018 at about 07.00 pm to 12.00 am.

Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

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

2.The sub Inspector of Police,
Manikandam Police Station,
Trichy District.

+1CC to Mr.Na.Palaniyandi Advocate in SR.No.66272,
+1CC to Special Government Pleader in SR.NO.66416.

CMR

DS/JC/SAR-1 :01.06.2018: 2P/5C