



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.14307 of 2018

WEB COPY

S.Arumugam

... Petitioner

Vs.

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

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

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus to direct the respondents to grant permission and necessary police protection to perform the cultural programme (i.e.,) Adal Padal Dance Programme on 11.07.2018 at 07.00 p.m., to 12.00 a.m., in the festival of Arulmigu Sri Sakthi Kaliyamman, Sri Vetri Bagavathiamman Thirukovil at Nettutheru, Municipal Colony, Dindigul Town, Dindigul District.

For Petitioner : Mr.V.Manikandan

For Respondents : Mr.M.Karuppasamy
Government Advocate

O R D E R

This Writ Petition has been filed to direct the respondents to grant permission and necessary police protection to perform the cultural programme (i.e.,) Adal Padal Dance Programme on 11.07.2018 at 07.00 p.m., to 10.00 a.m., in the festival of Arulmigu Sri Sakthi Kaliyamman, Sri Vetri Bagavathiamman Thirukovil at Nettutheru, Municipal Colony, Dindigul Town, Dindigul District.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3.According to the petitioner, the petitioner has made a representation to the second respondent on 22.06.2018 seeking permission to conduct Adal Padal Programme on 11.07.2018 in his <https://hsr.sarajets.gov.in/hsr-services/> said representation of the petitioner has not been considered so far. Hence, the petitioner is before this Court with the aforesaid prayer.



4.The learned Government Advocate appearing for the respondents would submit that the second respondent has filed counter affidavit, stating that there is a likelihood of law and order problem in the surrounding areas of the village of the petitioner. Therefore, permission to conduct the cultural programme cannot be granted. He further submitted that there is an enmity between two sects of people and also murder cases were registered. Among the said cases, one case was registered in Crime No.570 of 2016 for the alleged offences punishable under Sections 147, 148, 341, 302, and 502 (ii) IPC and one case was registered in Crime No.1058 of 2017 for the offences punishable under Sections 341, 302, 120(b) IPC and Section 3(2)(Va) of SC/ST Act and one was registered in Crime No.1059 of 2017 under Sections 341, 302, 120(b) IPC and Section 3(2)(Va) of SC/ST Act and another one was registered in Crime No.522 of 2017 for the offences punishable under Sections 341, 302, 120(b) IPC and Section 3(2)(Va) of SC/ST Act. Therefore, in order to prevent the law and order problem, permission to conduct the cultural programme could not be granted to the petitioner.

5.The learned counsel for the petitioner, in reply, would submit that now the dispute among the villagers is settled and the said fact has not been taken note by the respondent police, while filing the counter affidavit.

6.Therefore, in the light of the aforesaid submission made by the learned counsel for the petitioner, the respondent police is directed to consider the representation of the petitioner, dated 22.06.2018 and pass appropriate orders on or before 10.07.2018 on merits and in accordance with law after providing opportunity to the parties concerned.

7.With the above direction, this Writ Petition is disposed of. No costs.

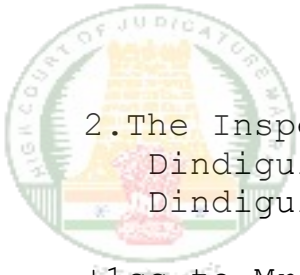
Sd/
Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To

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



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

+1cc to Mr.V.MANIKANDAN, Advocate, SR.No. 72117

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