



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN**

W.P. (MD) No.17576 of 2019

P.K.Chellapalam : Petitioner

Versus

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

2.The Sub-Inspector of Police,
Maraneri Police Station,
Virudhunagar District.

: Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the entire records, relating to the impugned order dated 04.08.2019 passed by the second respondent and to quash the same as illegal and consequently, to direct the second respondent to grant appropriate permission and adequate police protection to conduct the Adal Padal Dance Program on 16.08.2019 between 06.00 p.m., to 10 p.m., on the eve of the Aadi Pongal Festival in "Arulmighu Kali Amman Temple", situating in Periya Pottal Patti Village, Sivakasi Taluk, Virudhunagar District, within the time limit that may be stipulated by this Court.

For Petitioner : Mr.M.S.Jeyakarthik

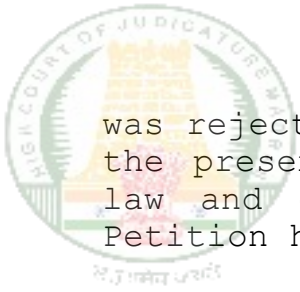
For Respondents : Mr.K.K.Ramakrishnan,

Additional Public Prosecutor

O R D E R

This Writ Petition has been filed challenging the order passed by the second respondent rejecting the request of the petitioner to conduct Adal Padal Dance Program on 16.08.2019, on the eve of the Aadi Pongal Festival in "Arulmighu Kali Amman Temple", situated at Periya Pottal Patti Village, Sivakasi Taluk, Virudhunagar District,

2. The grievance of the petitioner is that, every year, in the month of Aadi, the petitioner's Villagers are conducting Aadi Pongal Festival in a grand manner and conducting Aadal Padal Dance Programme. Now, this year also, they are proposed to conduct the Aadal Padal Dance Programme, for which, the petitioner filed an application seeking permission and police protection. However, that



was rejected on the ground that, during the temple festival, due to the presence of various community people, there is likelihood of law and order problem. Challenging the same, the present Writ Petition has been filed.

3. The learned counsel appearing for the petitioner would contend that the petitioner's villagers are conducting festival every year in the Tamil month of Aadi and so far, no untoward incident had happened. For imaginary reasons, the impugned order came to be passed.

4. Today, when the Writ Petition came up for hearing, the second respondent is also present before this Court and submitted that if permission is granted to conduct the Aadal Padal Dance programme in the aforesaid Temple festival, there is a likelihood of law and order problem. That is the reason why, permission has been rejected and he has also submitted that permission has been granted to various temples in and around the area.

5. Considering the fact that the petitioner's Villagers are celebrating the festival in the aforesaid temple and conducting Aadal Padal dance programme every year and so far, no untoward incident has been taken place, for this year, only on apprehension that there is a likelihood of law and order problem, the impugned order came to be passed, I am inclined to set aside the impugned order passed by the second respondent. Accordingly, the impugned order dated 04.08.2019 is set aside. The petitioner is directed to file a fresh application on 15.08.2019 seeking for permission to conduct the Aadal Padal Dance Programme on 16.08.2019 and on receipt of such application, the second respondent is directed to consider the same and grant permission, by imposing necessary conditions, in order to maintain law and order.

6. The Writ Petition stands allowed as indicated above. No costs.

Sd/-

Assistant Registrar (CS-I)

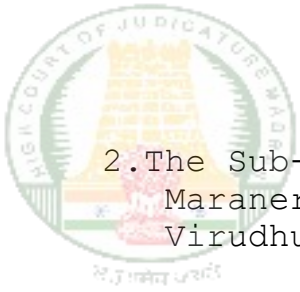
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Sub Assistant Registrar (CS)

SML

To

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



2.The Sub-Inspector of Police,
Maraneri Police Station,
Virudhunagar District.

+1CC TO MR.M.S.JEYAKARTHIK, Advocate Sr. No. 81748

Order made in
W.P. (MD) No.17576 of 2019

SVG (CO)
TR (14.08.2019) 3P 4C