



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2019

CORAM :

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P. (MD)No.20293 of 2019

Anthony Joshep Raj

... Petitioner

Vs.

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

2.The Inspector of Police,
Tharuvaikulam Police Station,
Thoothukudi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant permission and protection to conduct the Adal Padal Programme on 27.09.2019 at 07.00 p.m. to 11.00 p.m. in the festival of Punitha St. Micheal Church at Tharuvaikulam, Thoothukudi District.

For Petitioner : Mr.V.Manikandan

For Respondents : Mr.R.Anandharaj
Additional Public Prosecutor

O R D E R

The prayer in this writ petition is to direct the respondent to grant permission and protection for cultural event namely AdalPadal scheduled to be held on 27.09.2019 at 07.00 p.m. to 11.00 p.m. in the festival of Punitha St. Micheal Church at Tharuvaikulam, Thoothukudi District, by considering the petitioner's representation dated 09.09.2019.

2.Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor appearing for 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. This Court is 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 petitioner for conducting Adal Padal dance programme schedule to be held on 27.09.2019 at 07.00 p.m. to 10.00 p.m. in the festival of Punitha St. Micheal Church at Tharuvaikulam, Thoothukudi District, subject to the aforesaid conditions. There shall be no order as to costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

TM

To

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

2.The Inspector of Police,
Tharuvaikulam Police Station,
Thoothukudi District.



3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.V.MANIKANDAN, Advocate (SR-88290[F] dated 20/09/2019)

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JMN(25.09.2019) 3P : 5C