



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2019

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P. (MD)No.21825 of 2019

M.Bagavathy

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District

2.The Inspector of Police
Uvari Police Station
Tirunelveli District

... Respondents

Prayer: Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus, directing the respondents to give permission to the Kodai Festival, Adal and Paadal Program dated 17.10.2019 conducted at Arulmigu Sri Mutharamman Thirukoil at Vemmanankudi, Kuttam Village, Thisianvilai Taluk, Tirunelveli District.

For Petitioner : M/s.R.Sentamil Selvi
For Respondents : Mr.R.Anandharaj
Additional Public Prosecutor

O R D E R

The prayer in this writ petition is to direct the respondents to grant permission and protection to conduct the Kodai Festival, Adal and Paadal Program on 17.10.2019 at 06.00pm to 11.00pm in connection with kodai festival of Arulmigu Sri Mutharamman Thirukoil at Vemmanankudi, Kuttam Village, Thisianvilai Taluk, Tirunelveli District

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:

1.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 Adal Padal Programme 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 the Kodai Festival, Adal and Paadal Program in Arulmigu Sri Mutharamman Thirukoil at Vemmanankudi, Kuttam Village, Thisianvilai Taluk, Tirunelveli District scheduled to be held on 17.10.2019 from 06.00 p.m to 11.00 p.m. in the petitioner's village at Vemmanankudi, Kuttam Village, Thisianvilai Taluk, Tirunelveli District subject to the aforesaid conditions. There shall be no order as to costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Superintendent of Police,
Tirunelveli District

2.The Inspector of Police
Uvari Police Station
Tirunelveli District

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

+1 CC to M/s.R.SENTAMIL SELVI, Advocate (SR-92084[F] dated
16/10/2019)

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KK/SAR/16.10.2019/2P-5C/