



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2019

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

W.P. (MD) No.23056 of 2019

Aarattuvizha Kalai Illakkiya Peravi
Rep.by its President
R.Subramanian

... Petitioner

Vs.

1.The Superintendent of Police,
Nagercoil, Kanyakumari District

2.The Sub Inspector of Police
Anjugramam Police Station
Kanyakumari District

... Respondents

Prayer: Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus, directing respondents to grant permission to conduct Cultural Activities as stated in Petitioners representation from 03/11/2019 to 07/11/2019 at about 06.30PM to 11.30 in the eve of Aarattuvizha festival of Arulmighu Murugaperumal Temple, situated in Mayiladi Village, Kanyakumari district in pursuant to the petitioner's representation dt.30/10/2019

For Petitioner : Mr.R.Maheswaran
For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate(Crl.Side)

O R D E R

The prayer in this writ petition is to direct the respondents to grant permission to conduct cultural activities as stated in Petitioners representation from 03/11/2019 to 07/11/2019 at about 06.30PM to 11.30 PM in the eve of Aarattuvizha festival of Arulmighu Murugaperumal Temple, situated in Mayiladi Village, Kanyakumari district in pursuant to the petitioner's representation dt.30/10/2019

2.Heard the learned counsel for the petitioner as well as the learned Government Advocate(Crl.Side) appearing for the respondents.

<https://hcservices.ecourts.gov.in/hcservices>
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 cultural activities by any one of the participants or others.

c)The cultural activities shall be restricted between 6.30 p.m. and 11.30 p.m from 03.11.2019 to 07.11.2019

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 cultural activities in Arulmighu Murugaperumal Temple scheduled to be held from 03.11.2019 to 07.11.2019 between 6.30 p.m. and 11.30 p.m in the petitioners village situated at Mayiladi , Kanyakumari district subject to the aforesaid conditions. There shall be no order as to costs.

Sd/-

Assistant Registrar(AS)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Superintendent of Police,
Nagercoil, Kanyakumari District

2.The Sub Inspector of Police
Anjugramam Police Station
Kanyakumari District

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

+1CC TO MR.R.MAHESWARAN, Advocate Sr. No. 95411

W.P. (MD) No.23056 of 2019
04.11.2019