



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2021

CORAM :

THE HONOURABLE **Mrs.JUSTICE R.HEMALATHA**

W.P.(MD)No.6626 of 2021

P.Palani

...Petitioner

/Vs./

1.The District Collector,
Madurai District,
Madurai.

2.The Superintendent of Police,
Madurai District,
Madurai.

3.The Election Officer cum Tahsildar,
No.193, Usilampatti Assembly Constituency,
Madurai District.

4.The Deputy Superintendent of Police,
Usilampatti,
Madurai District.

5.The Inspector of Police,
Usilampatti Police Station,
Madurai District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus directing the respondents to grant permission and police protection to conduct Sri Valli Thirumanam Drama and Adal Padal scheduled to be held on 25.03.2021 and 26.03.2021, respectively, in connection with the Panguni Pongal festival of Arulmigu Santhana Mariamman Kovil, Karuthi Veeranpatti, Poothipuram Village, Chellampatti Panchayat Union, Usilampatti Taluki, Madurai District.

For Petitioner : Mr. K.Mahendran

For Respondents : Mr. A.Robinson

Government Advocate (Criminal Side)

ORDER

By consent, this Writ Petition is taken up for final hearing at the admission stage itself.

2.Mr.A.Robinson, learned Government Advocate (Criminal side) accepts notice for the respondents.

3.Mr.K.Mahendran, learned counsel appearing for the petitioner would submit that the petitioner is the President of the festival committee of Arulmigu Santhana Mariamman Kovil, Karuthi



Veeranpatti, Poothipuram Village, Chellampatti Panchayat Union, Usilampatti Taluki, Madurai District, and that Sri Valli Thirumanam Drama and Adal Padal is scheduled to be held on 25.03.2021 and 26.03.2021, respectively. His further contention is that he submitted representations dated 16.03.2021 and 20.03.2021 to the respondents seeking permission to conduct the said Drama, and the second respondent issued proceedings contending that the petitioner can conduct Valli Thirumanam Drama and conclude it before 10.00 p.m. The learned counsel drew the attention of this Court to the orders passed by the Single Judge of this Court in W.P.(MD)No.7380 of 2019, dated 28.03.2019, in which, it is held thus:

"....2.The petitioner is one of the Mandagapaditharar for conducting the petition mentioned festival. The petitioner wants to conduct drama programme on 30.03.2018 during night. Even though he submitted an application to the respondent, till date it has not been considered. Since the petition mentioned event is to be conducted only in connection with the Temple festival, Election code of conduct will not apply.

3.Therefore, the respondent is directed to give permission to the writ petitioner for conducting the drama incorporating appropriate conditions. It is submitted that the event starts around 10.00 a.m and would go upto the early hours. Therefore, while granting permission, the respondent shall not impose any restriction with regard to timings.."

4. In view of the above decision, the second respondent is directed to consider the representation of the petitioner once again and pass appropriate orders afresh without making any restrictions on the timings as far as Valli Thirumanam Drama is concerned. As far as other cultural events are concerned, it should be restricted and the second respondent is at liberty to pass appropriate orders in this regard.

5.With the above observation, this writ petition is disposed of. No costs.

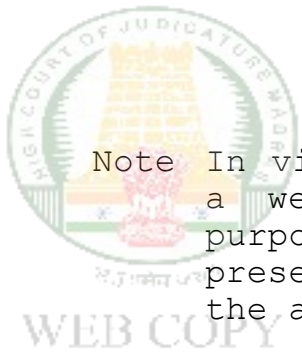
Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



Note In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned

To

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Superintendent of Police,
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- 3.The Election Officer cum Tahsildar,
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Madurai District

+1 CC to M/s.K.MAHENDRAN, Advocate (SR-13049[F] dated 23/03/2021)

W.P. (MD)No.6626 of 2021
23.03.2021

TP (CO)
KB(25.03.2021) 3P 7C