



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G. ILANGO VAN**

W.P. (MD) No. 7672 of 2021

M. Rajesh

...Petitioner

/Vs./

1. The Superintendant of Police,
Pudukottai, Pudukottai District.

2. The Inspector of Police,
Ulagampatti Police Station,
Pudukkottai District.

...Respondents

(The Second Respondent is *suo motu* impleaded vide Court order dated 08.04.2021)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the Respondents to grant permission to perform the program of 'Aadal Padal' on 12.04.2021 night at about 06.00 p.m to 11.00 p.m at Sri Arulmigu Mariamman Temple Festival R.Palakurichhhi Post, Ponnamaravathy Taluk, Pudukkottai District and to provide adequate police protection based on the petitioner's representation dated 30.03.2021.

For Petitioner : M/s.S.Bharathi

For Respondents : Mr.R.Srinivasan

Government Advocate (Criminal Side)

ORDER

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

2. Mr.R.Srinivasan, learned Government Advocate (Criminal Side) accepts notice for the respondents.

3. M/s.S.Bharathi, learned counsel appearing for the petitioner would submit that the petitioner is one of the committee member of the Temple namely, 'Arulmigu Sri Muthu Mariamman Temple' at Vairavanpatti Village, R.Palakurichhhi Post, Ponnamaravathy Taluk, Pudukkottai District and that cultural events are scheduled to be held on 12.04.2021. His further contention is that he submitted a representation dated 30.03.2021 to the respondents seeking permission to conduct the said programme and till date, no action has been taken by the respondents.

4. The contention of Mr.R.Srinivasan, learned Government Advocate (Criminal Side) is that as per G.O.(Ms)No.654 (Revenue and

<https://hcservices.ecourts.gov.in/hcservices/>



Disaster Management (DM-IV) Department) dated 21.11.2020, the District Collector is the competent authority to consider the request of the petitioner. He would further submit that the respondents will comply with the orders to be passed by this Court.

5. So, after hearing the parties, the following orders passed:-

(a) The cultural programme in connection with the event of 'Arulmigu Sri Muthu Mariamman Temple' at Vairavanpatti Village, R.Palakurichhi Post, Ponnamaravathy Taluk, Pudukkottai District, shall be conducted on 12.04.2021 between 06.30 p.m., and 08.30 p.m.

(b) There should not be any kind of obscene dance or vulgar dialogues during the performance, by anyone of the participants.

(c) Double meaning songs should not be played so as to spoil the minds of students and youths.

(d) No dance or songs, touching upon any political party or religion or community or caste shall be played.

(e) No flex boards in support of any political party or communal leader, shall be erected at the premises of the programme.

(f) The function shall not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(g) If there is violation of any one of the conditions imposed, the concerned police officer is at liberty to take necessary action, as per law and stop such performance forthwith; and

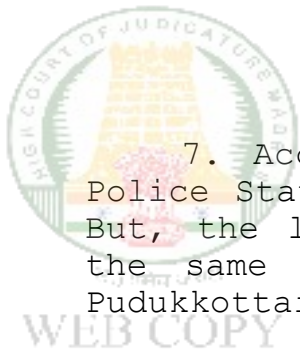
(h) Similarly, the police is directed to stop the dance programme, if it is played beyond the permitted time limit.

(i) The respondents are directed to issue necessary protection and permission, incorporating the above conditions.

(j) It is made clear that the concerned police officer shall give due consideration to any person, other than the petitioner, who may claim rights of conducting cultural programme and take a final decision after giving due consideration to such rival contentions.

(k) The programme organizers are strictly directed to follow the Covid-19 protocol passed by the Government in keeping the social distance, sanitation of the participants etc., Similarly, this order will take effect only subject to the orders to be passed by the Government of Tamilnadu considering the present Covid-19 situation.

https://hcservices.courtsofmadras.org/ In https://hcservices.courtsofmadras.org/ On 12/04/2021 at 11:51 AM. Above term, this petition is disposed of. No costs.



7. According to the learned Public Prosecutor, the concerned Police Station is Ulagampatti Police Station, Pudukkottai District. But, the learned counsel for the petitioner has wrongly mentioned the same as Inspector of Police, Ponnamaravthy Police Station, Pudukkottai District.

8. Even though, the learned counsel for the petitioner has to file amendment petition, considering the urgency of the matter, the Inspector of Police, Ulagampatti Police Station, Pudukkottai District is *suo motu* impleaded as second respondent in this petition. The Registry is directed to make necessary amendment in the main bundle.

Sd/-

Assistant Registrar(CRL SIDE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dss

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 Superintendant of Police,
Pudukottai,
Pudukottai District.

2.The Inspector of Police,
Ulagampatti Police Station,
Pudukottai District.

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

+1 CC to M/s.S.BHARATHI, Advocate (SR-15525[F] dated 08/04/2021)

W.P. (MD)No.7672 of 2021
08.04.2021

NS (CO)

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