



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2022

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WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.808 of 2022
and
W.M.P.(MD)No.651 of 2022

Singaram

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

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

3.The Deputy Superintendent of Police,
Thiruppathoor,
Sivagangai,
Sivagangai District.

4.The Inspector of Police,
Poolankurichi Police Station,
Poolangurichi,
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the 3rd respondent dated nil and quash the same as illegal and to issue a consequential direction to the respondents to permit the petitioner to conduct the cultural program "Adal Padal" 21.01.2022 at about 06.00 pm to 11.00 pm at Sullampatti Village, Poolankurichi Post, Sivagangai District and to provide adequate police protection based on petitioner's representation dated 21.12.2021.

For Petitioner : Mr.S.Bharathi

For Respondents : Mr.B.Thanga Aravindh,

Government Advocate (Cr1. Side).

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate (Cr1. Side) for the respondents.



2. Though the petitioner wants to hold the petition mentioned event after 10.00 pm, in view of the night time restrictions imposed in the wake of pandemic, the petitioner undertakes to conclude the event before 09.30 pm. This undertaking is recorded.

3. The third respondent by citing the prevalence of pandemic had denied permission for holding the petition mentioned event. Since the Government imposed lockdown restrictions during night time, the petitioner can very well organize the event before 10.00 pm. Hence, the impugned passed by the third respondent is quashed.

4. There does not appear to be any communal angle. The third respondent is therefore directed to give permission to the petitioner to hold the petition mentioned event. It is open to the third respondent to incorporate appropriate conditions to ensure the smooth conduct of the event. The petitioner through his counsel gives an undertaking that the organizers of the event will adhere to the police directives. The third respondent while issuing the proceedings permitting the holding of the event shall stipulate appropriate conditions for adhering to Covid-19 protocol. I make it clear that the order has been passed in this writ petition based on the position obtaining today. It is of-course open to the third respondent to take a call, if any further lockdown restriction is imposed by the Government.

5. Recording the said undertaking, this Writ Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

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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,
Sivagangai District,
Sivagangai.



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

3.The Deputy Superintendent of Police,
Thiruppathoor,
Sivagangai,
Sivagangai District.

4.The Inspector of Police,
Poolankurichi Police Station,
Poolangurichi,
Sivagangai District.

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

+1 CC to M/s.S.BHARATHI, Advocate (SR-1872[F] dated 20/01/2022)

W.P (MD) No.808 of 2022
20.01.2022

ARK(CO)
KB(20.01.2022) 3P 7C