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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:10.02.2022
CORAM
THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
W.P (MD).No. 2347 of 2022

K.Muthukumar ... Petitioner

Vs.

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

2.The Inspector of Police,
Vikaramangalam Police Station,
Madurai District. ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus, directing the respondents to grant permission to perform the cultural programme (i.e.,) Adal Padal Dance Programme on 28.02.2022 at 6.00 pm to 11.00 pm in the Festival of Arulmighu Sri Karuppu Thirukovil at Vikramangalam, Usilampatti Taluk, Madurai District and to provide necessary Police protection.

For Petitioner : Mr.V.Manikandan, Advocate
For Respondents : Mr.B.Thanga Aravindh
Government Advocate

O R D E R

The prayer in this writ petition is to direct the respondents to grant permission and to provide necessary protection for conducting the cultural programmes (i.e.,) Adal Padal Dance Programme on 28.02.2022 at 6.00 pm to 11.00 pm in the Festival of Arulmighu Sri Karuppu Thirukovil at Vikramangalam, Usilampatti Taluk, Madurai District, based on the petitioner's representation dated 25.01.2022.

2.Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor appearing on behalf of 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:

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"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 cultural Program shall be restricted between 8.00 a.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

f) The restrictions have now been lifted and permitted to gather not more than 50 persons for the festival function."

4. This Court is of the view that similar conditions may also be imposed in the present writ petition. Consequently, the Writ Petition Stands disposed of. The second respondent is directed to strictly adhere to the Standard Operating Procedure adopted by the Government of Tamil Nadu and grant permission to the writ petitioner to conduct the cultural program on 28.02.2022 between 8.00 am., to 11.00 pm., at Arulmighu Sri Karuppu Thirukovil at Vikramangalam, Usilampatti Taluk, Madurai District, subject to the aforesaid conditions. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

11/02/2022

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.

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To

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

2.The Inspector of Police,
Vikaramangalam Police Station,
Madurai District.

W.P (MD).No.2347 of 2022
10.02.2022

RS(11.02.2022) 3P-3C

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