



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.03.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD).No.3882 of 2022

Malaiyappan

...Petitioner

Vs.

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

2. The Deputy Superintendent of Police,
Peraiyur Division,
Madurai District.

3. The Inspector of Police,
T.Kallupatti Police Station,
T.Kallupatti,
Madurai District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents to give the permission and adequate police protection for conducting Adal Padal Dance Programme schedule to be held 06.03.2022 in the eve of Arulmigu 'Sri Karuppasamy Temple' Kumbabishega festival belongs to T.Kunnathur, Peraiyur Taluk, Madurai District on the basis of petitioner's Representation dated 28.02.2022.

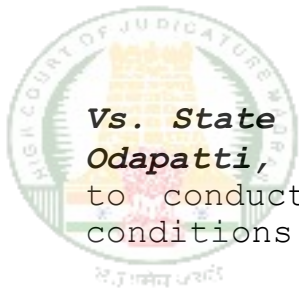
For Petitioner	:	Mr.M.Silambarasan
For R1 and R2	:	Mr.R.M.Anbunithi
		Additional Public Prosecutor(Crl.Side)

ORDER

The Writ Petition has been filed in the nature of Mandamus, seeking a direction to the respondents to give permission and adequate police protection for conducting Adal Padal Dance Programme schedule to be held 06.03.2022 in the eve of Arulmigu 'Sri Karuppasamy Temple' Kumbabishega festival situated at T.Kunnathur, Peraiyur Taluk, Madurai District, on the basis of petitioner's representation, dated 28.02.2022.

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:

'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 third 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 06.03.2022 between 8.00 am., to 11.00 p.m., at Arulmigu 'Sri Karuppasamy Temple' Kumbabishega festival, situated at T.Kunnathur, Peraiyur Taluk, Madurai District, subject to the aforesaid conditions. There shall be no order as to costs.

Sd/-

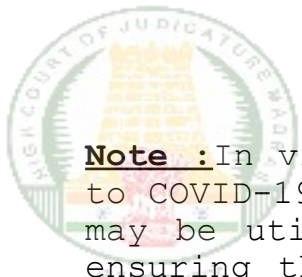
Assistant Registrar (Records)

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/ /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 Superintendent of Police,
Madurai District,
Madurai.
2. The Deputy Superintendent of Police,
Peraiyur Division,
Madurai District.
3. The Inspector of Police,
T.Kallupatti Police Station,
T.Kallupatti,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

W.P (MD) .No.3882 of 2022
02.03.2022

SR(CO)
GC(02.03.2022) 3P 5C