



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 08.03.2022

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P (MD).No. 4109 of 2022

A.Kulanthaivel

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
Karaikudi, Sivagangai District

2. The Inspector of Police,
North Police Station
Karaikudi, Sivagangai District

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, directing the second respondent and requested him to grant permission for conducting Maha Urtchava Thiruvizha festival followed by cultural program including dance programs (Adal Padal) scheduled to be at 6.00 pm., on 16.03.2022 at Arulmigu Sri Muthumariamman Thirukovil at West Paruppoorani, Karaikudi, Sivagangai District.

For Petitioner	: Mr.K.Srinivasa Ragavan
For Respondents	: Mr.R.M.Anbunithi
No.1 and 2	Additional Public Prosecutor

O R D E R

The prayer in this writ petition directing the second respondent and requested him to grant permission for conducting Maha Urtchava Thiruvizha festival followed by cultural program including dance programs (Adal Padal) scheduled to be at 6.00 pm., on 16.03.2022 at Arulmigu Sri Muthumariamman Thirukovil at West Paruppoorani, Karaikudi, Sivagangai District.

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 aadal padal Program shall be restricted between 6.00 pm., 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 allowed. 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 Aadal -Padal function on 16.03.2022 between 6.00 pm., and 11.00 p.m., at 'Arulmigu Sri Muthumariamman Thirukovil at West Paruppoorani, Karaikudi, Sivagangai District subject to the aforesaid conditions. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS III)

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Sub Assistant Registrar(CS)

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To

1. The Deputy Superintendent of Police,
Karaikudi, Sivagangai District

2. The Inspector of Police,
North Police Station
Karaikudi, Sivagangai District

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

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