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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:11.03.2022

CORAM

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

W.P (MD).No.4343 of 2022

Chandrasekaran ... Petitioner

Vs.

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

2. The Deputy Superintendent of Police.
   Puliyankudi, Tenkasi District.

3. The Inspector of Police,
   Sernthamaram Police Station.
   Tenkasi District. ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the impugned order of the 2nd second respondent in Na.Ka.No.52/CAMP/SDOP/2022 dated 07.03.2022 in respect of Innisai Katcheri program going to be held on 25.03.2022 in pursuance to the temple festival namely, ''Arulmigu Sri Venni Udiayar Sastha Temple'' at Naduvakurichi and quash the same and further directing the respondents to grant permission to conduct the ''Innisai Katcheri Program'' on 25.03.2022 in pursuance to the temple festival, namely, '' Arulmigu Sri Venni Udaiyar Sastha temple'' at Naduvakurichi, Tenkasi District.

For Petitioner : Mr.C.Susi Kumar
For Respondents: Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl.Side)

O R D E R

The prayer in this writ petition is to direct the second respondent in Na.Ka.No.52/CAMP/SDOP/2022 dated 07.03.2022 in respect of Innisai Katcheri program going to held on 25.03.2022 in pursuance to the temple festival namely, ''Arulmigu Sri Venni Udiayar Sastha Temple'' at Naduvakurichi and quash the same and further directing the respondents to grant permission to conduct the ''Innisai Katcheri Program'' on 25.03.2022 in pursuance to the temple

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festival, namely, ''Arulmigu Sri Venni Udaiyar Sastha temple'' at Naduvakurichi, Tenkasi 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 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 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 cultural program on 25.03.2022 between 8.00 am., to 11.00 p.m., at ''Arulmigu Sri Venni Udiayar Sastha Temple'' at Naduvakurichi subject to the aforesaid conditions. There shall be no order as to costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar

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To

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

2. The Deputy Superintendent of Police.
   Puliyankudi, Tenkasi District.

3. The Inspector of Police,
   Sernthamaram Police Station.
   Tenkasi District.

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

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