



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2022

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P. (MD)No.4509 of 2022

P.Shanmugam

... Petitioner

Vs.

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

2. The Inspector of Police,
Vayampatti Police Station,
Trichy District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the Respondents herein to grant permission and protection to conduct the Aadalum Paadalum dance Programme on 18.03.2022 from 7.00 p.m. to 11.30 p.m in pursuant to the Panguni Festival of Arulmigu Sri Balamurugan Temple, situated at Karattupatti, Malayadipatti Village, Manapparari Taluk, Trichy District, by considering the petitioners representation dated 10.03.2022.

For Petitioner : Mr.M.Suresh

For Respondents : Mr.R.M.Anbunithi
No.1 & 2 Additional Public Prosecutor

ORDER

The prayer in this writ petition is to direct the respondents herein to grant permission and protection to conduct the Aadalum Paadalum dance Programme on 18.03.2022 from 7.00 p.m. to 11.30 p.m in pursuant to the Panguni Festival of Arulmigu Sri Balamurugan Temple, situated at Karattupatti, Malayadipatti Village, Manapparari Taluk, Trichy District, by considering the petitioners representation dated 10.03.2022.

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 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 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 18.03.2022 between 6.00 p.m., to 11.00 p.m., at Arulmigu Sri Balamurugan Temple, situated at Karattupatti, Malayadipatti Village, Manapparari Taluk, Trichy District subject to the aforesaid conditions. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-II)

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Sub Assistant Registrar(CS)

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To

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

2. The Inspector of Police,
Vayampatti Police Station,
Trichy District.



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

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W.P. (MD) No. 4509 of 2022
14.03.2022

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