



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2022

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P (MD)No.5305 of 2022

WEB COPY

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... Petitioner

Vs

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

2.The Inspector of Police,
Gudalur North Police Station,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order, dated 19.03.2022 passed by the second respondent and quash the same as illegal and consequently, direct the respondents to allow the petitioner to conduct "Adal Padal" program the night hours on 06.04.2022 in Arulmigu Sri Kalamman Temple Festival situate at Gudalur, Theni District.

For Petitioner : Mr.R.Sureshkumar

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor (Cr1.Side)

ORDER

This writ petition has been filed to quash the impugned order, dated 19.03.2022 passed by the second respondent and to direct the respondents to allow the petitioner to conduct "Adal Padal" program the night hours on 06.04.2022 in Arulmigu Sri Kalamman Temple Festival situate at Gudalur, Theni 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.

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 06.04.2022 between 8.00 am., to 11.00 p.m., in Arulmigu Sri Kalamman Temple Festival situate at Gudalur, Theni District, subject to the aforesaid conditions. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

01/04/2022

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,
Theni,
Theni District.

2.The Inspector of Police,
Gudalur North Police Station,
Theni District.

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

W.P (MD) No.5305 of 2022
25.03.2022

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