



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 30.03.2022
CORAM**

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

WEB COPY

**WP(MD). No.5712 of 2022
and WMP(MD) No.4559, 4560 of 2022**

K.Prabhu

... Petitioner

Vs

1. The Tahsildar,
Usilampatti,
Madurai District.

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

3. The Sub Inspector of Police,
Vikramangalam Police Station,
Usilampatti Taluk,
Madurai District.

... Respondents

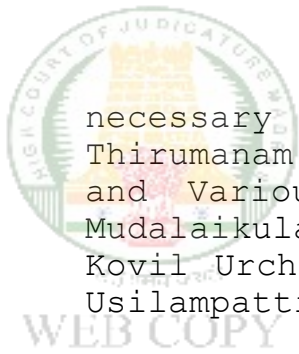
PRAYER :- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the impugned order dated 25.3.2022 on the file of the 1st respondent and quash the same and consequentially directing the Respondents to grant permission and necessary protection to perform the dramas namely Sri Valli Thirumanam on 08.04.2022 Muthalamman Bakthi Nadagam on 09.04.2022 and Various Cultural programmes on 10.04.2022 in the eve of Mudalaikulam Arulmighu Sri Kamba Kamatchiamman, Sri Karuppaswamy Kovil Urchava Thiruvizha at M.Othaveetupatti Village, Mudalaikulam, Usilampatti Taluk, Madurai District.

For Petitioner : Mr.P.Jessi Jeeva Priya

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor
(Criminal Side)
for R1 to R3

O R D E R

This Writ Petition has been filed to issue a Writ of Certiorarified Mandamus, calling for the impugned order dated 25.3.2022 on the file of the first respondent and quash the same and consequentially directing the Respondents to grant permission and



necessary protection to perform the dramas viz., Sri Valli Thirumanam on 08.04.2022 Muthalamman Bakthi Nadagam on 09.04.2022 and Various Cultural programmes on 10.04.2022, in the eve of Mudalaikulam Arulmighu Sri Kamba Kamatchiamman, Sri Karuppaswamy Kovil Urchava Thiruvizha at M.Othaveetupatti Village, Mudalaikulam, Usilampatti Taluk, Madurai District.

2.Today (ie., 30.03.2022), when the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that both the parties (A Party and B party) settled their issue amicably and also entered into compromise and to support his contention, filed a compromise deed dated 29.03.2022.

3.In view of the above, the impugned order dated 25.3.2022, passed by the first respondent is hereby quashed. Further, considering the above facts and circumstances of the case, the following directions are issued to the respondents:-

- The second respondent is directed to grant permission and to provide adequate police protection for the cultural programme to be conducted **from 08.04.2022 to 10.04.2022**, at **Mudalaikulam Arulmighu Sri Kamba Kamatchiamman, Sri Karuppaswamy Kovil Urchava Thiruvizha at M.Othaveetupatti Village, Mudalaikulam, Usilampatti Taluk, Madurai District**, subject to the following conditions:

a) the cultural programme in connection with a Festival at **Mudalaikulam Arulmighu Sri Kamba Kamatchiamman, Sri Karuppaswamy Kovil Urchava Thiruvizha at M.Othaveetupatti Village, Mudalaikulam, Usilampatti Taluk, Madurai District**, scheduled to be held **from 08.04.2022 to 10.04.2022** should be completed before 12.00 midnight or within the time permitted by the respondent.

b) double meaning songs should not be played so as to spoil the minds of students and the youth;

(c) no songs, touching upon any political party or religion, community or caste be played;

(d) no flex boards in support of any political party or religious leader be erected;

(e) the cultural programme should not affect either religious or communal harmony and shall be conducted without any discrimination based on caste;

(f) if there is any violation of any one of the conditions imposed, the concerned Police Officer is at liberty to take necessary action, as per law and stop such performance;

(g) similarly, the Police is empowered to stop the programme, if it exceeds beyond the permitted time;



(h) the participants of the programme shall not intake any kind of in-toxic substance or liquor during the programme; and

(i) if any untoward incident takes place, the organizers of the programme be made responsible for the same.

10. Considering the above, the third respondent is directed to strictly adhere to the Standard Operating Procedure adopted by the Government of Tamil Nadu.

11. It is open to respondent police to put any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquillity. There can be a total ban for putting up any Flex Boards representing any community.

12. This Writ Petition is disposed of with the above observations and directions. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

06/04/2022

Sub Assistant Registrar(CS)

PNM

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 Tahsildar,
Usilampatti, Madurai District.
 2. The Deputy Superintendent of Police,
Usilampatti Division, Madurai District.
 3. The Sub Inspector of Police,
Vikramangalam Police Station,
Usilampatti Taluk, Madurai District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.P.JESSI JEEVA PRIYA, Advocate (SR-15613[F] dated 31/03/2022)

WP(MD) No.5712 of 2022

and WMP(MD) No.4559, 4560 of 2022

Date : 30.03.2022

MGJ(06.04.2022) 3P 6C