



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2022

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

W.P (MD).No.5839 of 2022

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... Petitioner

Vs.

1. The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Peraiyur,
Madurai District.

2. The Sub-Inspector of Police,
Peraiyur Police Station,
Madurai District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, directing the second respondent to grant permission and police protection to conduct the programme namely ''Village Cultural Songs Programme'' on 03.04.2022 from 08.00 P.M. to 11.00 P.M., and ''Village Cultural Programme'' on 04.04.2022 and 05.04.2022 from 08.00 P.M. to 11.00 P.M., in Arulmighu Sri Muthalamman, Sri Muthu Mariyamman Temple ''Panguni Pongal'' festival on 03.04.2022 to 06.04.2022 in the petitioner's village (Santhaiyur Village), Peraiyur Taluk, Madurai District on the basis of the petitioner's representation, dated 24.03.2022.

For Petitioner : Mr.S.Sades Kumar

For Respondents : Mr.R.M.Anbunithi

Additional Public Prosecutor

O R D E R

The prayer in this writ petition is to direct the respondents herein to grant permission and to provide police protection to perform the ''Village Cultural Songs Programme'' on 03.04.2022 from 08.00 P.M. to 11.00 P.M., and ''Village Cultural Programme'' on 04.04.2022 and 05.04.2022 from 08.00 P.M. to 11.00 P.M., in Arulmighu Sri Muthalamman, Sri Muthu Mariyamman Temple ''Panguni Pongal'' festival on 03.04.2022 to 06.04.2022 in the petitioner's village (Santhaiyur Village), Peraiyur Taluk, Madurai District on the basis of the petitioner's representation dated 24.03.2022.



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 therein 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 respondents 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 petitioner is directed to pay a sum of Rs.10,000/- (Rupees Ten thousand only) as costs to the credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172) on or before 03.04.2022 and on receipt of the same, 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 ''Village Cultural Songs Programme'' and ''Village Cultural Programme'' on 03.04.2022, 04.04.2022 and 05.04.2022 between 6.00 p.m., to 11.00 p.m., at Arulmighu Sri Muthalamman, Sri Muthu Mariyamman Temple, Peraiyur Taluk, Madurai District subject to the aforesaid conditions. There shall be no order as to costs.

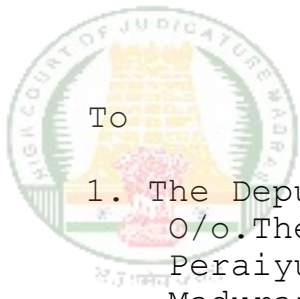
Sd/-

Assistant Registrar (CS-I)

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01/04/2022

Sub Assistant Registrar (CS)



To

1. The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Peraiyur,
Madurai District.

2. The Sub-Inspector of Police,
Peraiyur Police Station,
Madurai District.

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

W.P (MD) .No.5839 of 2022
31.03.2022

RS (01.04.2022) 3P-4C