



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:01.04.2022

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

WP(MD). No.5987 of 2022

V.Alagarsamy

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Periyakulam Circle,
Theni District.

3.The Inspector of Police,
Thenkarai Police Station,
Thenkarai,
Theni District.

... Respondents

PRAYER :- Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the second Respondent to grant permission and necessary protection for conducting "Maha Urtchava Thiruvizha" festival followed by cultural programs including the dance program (Adal Padal) schedule to be at 06.00 p.m. on 06.04.2022 at Arulmigu Kalamman Thirukovil at East Street, A.Meenakshipuram, Theni District.

For Petitioner : M/s.S.Sasikumar

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

O R D E R

This Writ Petition has been filed to issue a Writ of Mandamus directing the second Respondent to grant permission and necessary protection for conducting "Maha Urtchava Thiruvizha" festival followed by cultural programs including the dance program (Adal Padal) schedule to be at 06.00 p.m. on 06.04.2022 at Arulmigu Kalamman Thirukovil at East Street, A.Meenakshipuram, 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 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 cultural Program shall be restricted between 6.00 p.m. 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. 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 6.00 pm., to 11.00 p.m.,** at **Arulmigu Kaliyamman Thirukovil at East Street, A.Meenakshipuram, Theni District** subject to the aforesaid conditions.

5. With the above directions, this Writ Petition disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



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 Deputy Superintendent of Police,
Periyakulam Circle,
Theni District.
- 2.The Inspector of Police,
Thenkarai Police Station,
Thenkarai,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
WP(MD) No.5987 of 2022
Date : 01/04/2022

ss (CO)
TR(04.04.2022) 3P 4C