



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.04.2022

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD).No.6345 of 2022

M.Suresh

...Petitioner

Vs.

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

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

...Respondents

Prayer : Writ Petition 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) scheduled to be at 06.00 pm on 09.04.2022 at Arulmigu Kaliamman Thirukovil at Vadugapatti Village, Periyakulam Taluk, Theni District.

For Petitioner : Mr.S.Sasikumar
For R1 and R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor
(Criminal Side)

ORDER

The prayer in this writ petition is to direct the respondents herein to grant permission and necessary protection for conducting Maha Urtchava Thiruvizha followed by cultural programs including dance program (Adal Padal), which is scheduled to be at 06.00 pm on 09.04.2022 at Arulmigu Kaliamman Thirukovil, Vadugapatti Village, Periyakulam Taluk, 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 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 disposed of. 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 09.04.2022 between 6.00 p.m., and 11.00 p.m., at Arulmigu Kaliyamman Thirukovil, Vadugapatti Village, Periyakulam Taluk, Theni District subject to the aforesaid conditions. There shall be no order as to costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

06/04/2022

Sub Assistant Registrar (CS-II)

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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.

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SP (CO)

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