



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD).No.6544 of 2022

P.Ayyappan

...Petitioner

Vs.

1.The Deputy Superintendent of Police,
Thiruvaiyaru Deputy Superintendent of Police,
Thanjavur District.

2.The Inspector of Police,
Thiruvaiyaru Police Station,
Thiruvaiyaru,
Thanjavur 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 Respondents to grant permission to perform the Adal Padal cultural program on 13.04.2022 night at about 6.00 pm to 11.00 pm at Ponnavarai Village, Arulmigu Sri Aathi Karpakavinyagar, Aathi Kaliyamman, Ilam Mariamman, Karuppasamy and Maduraiveeran Temple, Kalyanapuram post, Thiruvaiyaru Taluk, Thanajvur District and to provide adequate police protection based on the petitioner's representation, dated 05.04.2022.

For Petitioner : Mr.K.Sridhar
For R1 & R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The prayer in this writ petition is to direct the respondents herein to grant permission to perform the Adal Padal cultural program on 13.04.2022 night at about 6.00 pm to 11.00 pm at Arulmigu Sri Aathi Karpakavinyagar, Aathi Kaliyamman, Ilam Mariamman, Karuppasamy and Maduraiveeran Temple, Ponnavarai Village, Kalyanapuram post, Thiruvaiyaru Taluk, Thanajvur District and to provide adequate police protection based on the petitioner's representation, dated 05.04.2022.

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 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 petitioner is directed to pay a sum of Rs. **5,000/-** (Rupees Five 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 **12.04.2022** 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 cultural program on **13.04.2022** between 6.00 p.m., and 11.00 p.m., at Arulmigu Sri Aathi Karpakavinyagar, Aathi Kaliyamman, Ilam Mariamman, Karuppasamy and Maduraiveeran Temple, Ponnavaarai Village, Kalyanapuram post, Thiruvaiyaru Taluk, Thanajvur District subject to the aforesaid conditions.

Sd/-

Assistant Registrar (T&P)

// True Copy //

11/04/2022

Sub Assistant Registrar (CS-II)

1r



To

1.The Deputy Superintendent of Police,
Thiruvaiyaru Deputy Superintendent of Police,
Thanjavur District.

2.The Inspector of Police,
Thiruvaiyaru Police Station,
Thiruvaiyaru,
Thanjavur District.

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

COPY TO:

THE OFFICER INCHARGE,
THE CHIEF MINISTER PUBLIC RELIEF FUND,
SECRETARIAT,
CHENNAI - 9.

+1 CC to M/s.K. SRIDHAR, Advocate (SR-17446[F] dated 08/04/2022)
W.P(MD) .No.6544 of 2022
08.04.2022

SRR(CO)
GC(11.04.2022) 3P 6C