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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 12.04.2022

CORAM

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

W.P (MD).No. 6867 of 2022

P.Babu ... Petitioner

Vs.

1. The Deputy Superintendent of Police,
   Theni Town,
   Theni District.

2. The Inspector of Police,
   Veerapandi Police Station,
   Veerapandi,
   Theni District. ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, directing the 2nd 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 15.04.2022 at Arulmigu Muthu Muniyandi Thirukovil at Muthudevanpatti Village, Theni District.

For Petitioner : Mr.S.Sasikumar

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor
for R1 & R2

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 "Maha Urtchava Thiruvizha" festival followed by cultural programs including the dance program (Adal Padal) schedule to be at 06.00 p.m., on 15.04.2022 at Arulmigu Muthu Muniyandi Thirukovil at Muthudevanpatti Village, 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***

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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.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 15.04.2022 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 programs including the dance program (Adal Padal) on 15.04.2022 between 6.00 p.m., to 11.00 p.m., at Arulmigu Muthu Muniyandi Thirukovil at Muthudevanpatti Village, Theni District to the aforesaid conditions. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

13/04/2022

Sub Assistant Registrar(CS)

btr/aav

To

1. The Deputy Superintendent of Police,
Theni Town,
Theni District.

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

3. The Joint Secretary to Government,
   CMPRF (Finance Department),
   Secretariat Brach,
   Chennai-9.

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

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