



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:21.04.2022

CORAM

THE HONOURABLE MRS.JUSTICE S.ANANTHI

WP(MD) . No.7640 of 2022

Arumugasamy

... Petitioner

Vs

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Thenkasi District.
- 2.The Deputy Superintendent Of Police,
Office of the Deputy Superintendent of Police,
Thenkasi District.
- 3.The Inspector of Police,
Sengottai Police Station,
Thenkasi 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 respondents herein to grant permission and give necessary police protection for conducting Karakattam and music Programme on 24.04.2022 in connection with the Festival of Arulmigu Sri Kaliyamman Temple which is situated at T.Meenatchipuram, Sengottai Taluk, Thenkasi District on the basis of petitioner's representation dated 18.04.2022.

For Petitioner : Mr.G.Velumani
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 respondents herein to grant permission and give necessary police protection for conducting Karakattam and music Programme on 24.04.2022 in connection with the Festival of Arulmigu Sri Kaliyamman Temple which is situated at T. Meenatchipuram, Sengottai Taluk, Thenkasi District on the basis of petitioner's representation dated 18.04.2022.

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 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 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 21.04.2022 and on receipt of the same, the third 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 24.04.2022 between 6.00 pm., to 11.00 p.m., at Arulmigu Sri Kaliyamman Temple, T. Meenatchipuram, Sengottai Taluk, Thenkasi District** subject to the aforesaid conditions.

5. With the above directions, this Writ Petition disposed of.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM



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 Superintendent of Police,
Office of the Superintendent of Police,
Thenkasi District.
2. The Deputy Superintendent Of Police,
Office of the Deputy Superintendent of Police,
Thenkasi District.
3. The Inspector of Police,
Sengkottai Police Station,
Thenkasi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

COPY TO :

The Joint Secretary,
The Chief Minister Public Relief Fund,
Finance (CMPRF) Departments,
Secretariat, Fort St.George,
Chennai-9.

ORDER IN
WP(MD) No.7640 of 2022
Date : 21.04.2022

USK/21.04.2022/3P/6C