



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:21.04.2022

CORAM

THE HONOURABLE MRS. JUSTICE S.ANANTHI

WP (MD) . No.7627 of 2022

S.Vijayaragavan

... Petitioner

Vs

1. The Deputy Superintendent of Police,
Kulithalai,
Karur District.

2. The Inspector of Police,
Kulithalai Police Station,
Karur District.

... Respondents

PRAYER :- Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ Mandamus directing the 2nd Respondent to grant permission and necessary protection to perform the cultural program i.e., Adal Padal program on 22.04.2022 at 07.00 pm to 10.00 pm in Arulmigu Sri Maha Mariyamman Kumbabhishegam Festival at Kottaimedu, Vaigainallur Post, Kulithalai Taluk, Karur District., based on the Petitioner's Complaint dated 15.04.2022 pending on the file of the Respondents.

For Petitioner : Mr.R.Shankar Ganesh

For Respondents : Mr.R.M.Anbunithi,
Additional Public Prosecutor
(Criminal Side).
for R1 & R2

O R D E R

This Writ Petition has been filed to issue a Writ Mandamus directing the second Respondent to grant permission and necessary protection to perform the cultural program i.e., Adal Padal program on 22.04.2022 at 07.00 pm to 10.00 pm in Arulmigu Sri Maha Mariyamman Kumbabhishegam Festival at Kottaimedu, Vaigainallur Post, Kulithalai Taluk, Karur District, based on the Petitioner's Complaint dated 15.04.2022 pending on the file of the Respondents.



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 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 22.04.2022 between 6.00 pm., to 11.00 p.m.,** at **Arulmigu Sri Maha Mariyamman Kumbabhishegam Festival at Kottaimedu, Vaigainallur Post, Kulithalai Taluk, Karur District** subject to the aforesaid conditions.



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

Sd/-

Assistant Registrar(AS)

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/ /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 Deputy Superintendent of Police,
Kulithalai,
Karur District.
2. The Inspector of Police,
Kulithalai Police Station,
Karur District.
3. The Officer Incharge,
Chief Ministers Public Relief Fund,
Finance(CMPRF) Department,
Government of Tamil Nadu,
Secretariat, Chennai 600 009.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R. SHANKAR GANESH, Advocate (SR-20217[F] dated 21/04/2022)

ORDER IN

WP(MD) No.7627 of 2022

Date : 21.04.2022

SVN(CO)

TR(21.04.2022) 3P 6C