



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:21.04.2022

CORAM

THE HONOURABLE MRS.JUSTICE S.ANANTHI

WP(MD) . No.7630 of 2022

Senthil Kumar

... Petitioner

Vs

1.The Superintendent of Police,
Nagercoil,
Kanyakumari District.

2.The Deputy Superintendent Of Police,
Kanyakumari,
Kanyakumari District.

3.The Inspector of Police,
Suchindram Police Station,
Kanyakumari 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 to grant permission to conduct the Arulmigu Shree Nanamoorthythiswarar Devi Shree Mutharaman Thirukovil Festival on 25.04.2022 to 28.04.2022 at Vairavilai, Manikettipottal Post, Kanyakumari District with light and sound and further directing the respondents to grant permission to conduct the spiritual program Samiku kumabam Eduthal on 27.04.2022 at 07.00 p.m. in the festival of Arulmigu Shree Nanamoorthythiswarar Devi Shree Mutharaman Thirukovil Vairavilai, Manikettipottal Post, Kanyakumari District with light and sound and to provide necessary police protection.

For Petitioner : Mr.B.Micheal Sebastin
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 to grant permission to conduct the Arulmigu Shree Nanamoorthythiswarar Devi Shree Mutharaman Thirukovil Festival on 25.04.2022 to 28.04.2022 at Vairavilai, Manikettipottal



Post, Kanyakumari District with light and sound and further directing the respondents to grant permission to conduct the spiritual program Samiku kumabam Eduthal on 27.04.2022 at 07.00 pm in the festival of Arulmigu Shree Nanamoorthythiswarar Devi Shree Mutharaman Thirukovil Vairavilai, Manikettipottal Post, Kanyakumari District with light and sound and to provide necessary police protection.

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 Spiritual 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) *The Spiritual Program shall be restricted between 6.00 p.m. and 11.00 p.m.*

c) *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.*

d) *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.20,000/- (Rupees Twenty 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 22.04.2022 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 Spiritual program on 25.04.2022, 26.04.2022, 28.04.2022 and Samikku Kumabam Eduthal on 27.04.2022 between 6.00 p.m., to 11.00 p.m., at **Arulmigu Shree Nanamoorthythiswarar Devi Shree Mutharaman Thirukovil Vairavilai, Manikettipottal Post, Kanyakumari District** subject to the aforesaid conditions.



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

Sd/-

Assistant Registrar(AD II)

/TRUE COPY/

WEB COPY

22/04/2022

Sub Assistant Registrar(CS)

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,
Nagercoil,
Kanyakumari District.
2. The Deputy Superintendent Of Police,
Kanyakumari,
Kanyakumari District.
3. The Inspector of Police,
Suchindram Police Station,
Kanyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

COPY TO:

THE JOINT SECRETARY TO GOVERNMENT,
GOVERNMENT OF TAMIL NADU,
CHIEF MINISTER PUBLIC RELIEF FUND,
SECRETARIAT, CHENNAI-9.

+1 CC to M/s.B. MICHEAL SEBASTIN, Advocate (SR-20335[F] dated 22/04/2022)

ORDER IN
WP(MD) No.7630 of 2022
Date : 21.04.2022

MK/22.04.2022/3P/7C