



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:28.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

WP(MD) .No.8435 of 2022

S.Murugan

... Petitioner

Vs

1.The Superintending of Police,
Theni District,
Theni.

2.The Deputy Superintendent of Police,
Bodinayakanur Sub Division,
Bodinayakanur,
Theni District.

3.The Inspector of Police,
Bodinayakanur Taluk Police Station,
Bodinayakanur,
Theni District.

... Respondents

PRAYER :- Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to grant permission to conduct Aadal Padal cultural programme on 05.05.2022 at about 06.00 p.m to 11.00 p.m in connection with "Chithirai Urchava Perunthiruvizha" at Arulmighu Ammayappar Thirukovil and Arulmighu Bathirakaliamman Kovil, Visuvasapuram Village, Bodinayakanur Taluk, Theni District based on the petitioner's representation dated 20.04.2022.

For Petitioner : Mr.M.Saravanan

For Respondents : Mr.R.M.Anbunithi,
Additional Public Prosecutor (Crl.side)

O R D E R

This Writ Petition is filed to issue a Writ of Mandamus directing the respondents 1 to 3 to grant permission to conduct Aadal Padal cultural programme on 05.05.2022 at about 06.00 p.m to 11.00 p.m in connection with "Chithirai Urchava Perunthiruvizha" at Arulmighu Ammayappar Thirukovil and Arulmighu Bathirakaliamman Kovil, Visuvasapuram Village, Bodinayakanur Taluk, Theni District based on the petitioner's representation dated 20.04.2022.



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 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 05.05.2022 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 "Adal Padal" programme on 05.05.2022 between 6.00 p.m., and 11.00 p.m., at Arulmighu Ammayappar Thirukovil and Arulmighu Bathirakaliamman Kovil, Visuvasapuram Village, Bodinayakanur Taluk, Theni District subject to the aforesaid conditions. There shall be no order as to costs.

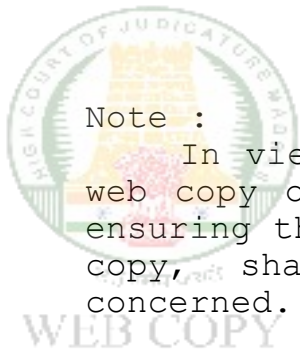
Sd/-

Assistant Registrar (CS-III)

// True Copy //

02/05/2022

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 Superintending of Police,
Theni District,
Theni.
- 2.The Deputy Superintendent of Police,
Bodinayakkanur Sub Division,
Bodinayakkanur,
Theni District.
- 3.The Inspector of Police,
Bodinayakkanur Taluk Police Station,
Bodinayakkanur,
Theni District.
- 4.The Joint Secretary to Government,
CMPRF(Finance Department),
Secretariat, Chennai-9.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.SARAVANAN, Advocate (SR-22263[F] dated 28/04/2022)

WP(MD) No.8435 of 2022
Date : 28.04.2022

RK(02/05/2022) 3P 7C