



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

WP(MD). No.8350 of 2022

V.Periyasamy

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Melur,
Madurai District.

3.The Inspector of Police,
Kottampatty Police Station,
Madurai 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 herein to grant permission and give necessary police protection for conducting Valli Thirumana Darama, Mahamayee Nerthikadan Darama, Chinnathambi Karakadi Nerthikadan Darama, Sri Madurai Pandi Ponnammal Darama, Sri Valli Thirumana Darama and Arichandra Mayanakandam Darama programme on 06.05.2022 to 10.05.2022, in connection with the Festival of Sri Malaiyamman Temple, which is situated at Guruvaarpatty, Pottappatty Post, Melur Taluk, Madurai District on the basis of the petitioner's representation, dated 25.04.2022.

For Petitioner : Mr.J.Vishnu

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 herein to grant permission and give necessary police protection for conducting Valli Thirumana Darama, Mahamayee Nerthikadan Darama, Chinnathambi Karakadi Nerthikadan Darama, Sri Madurai Pandi Ponnammal Darama, Sri Valli Thirumana Darama and Arichandra Mayanakandam Darama programme on 06.05.2022 to 10.05.2022, in connection with the Festival of Sri Malaiyamman Temple, which is situated at Guruvaarpatty, Pottappatty Post, Melur Taluk, Madurai District on the basis of the petitioner's representation, dated 25.04.2022.



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 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.25,000/- (Rupees Twenty 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 06.05.2022 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 programme on 06.05.2022 to 10.05.2022 between 6.00 p.m., and 11.00 p.m., at Sri Malaiyamman Temple, which is situated at Guruvaarpatty, Pottappatty Post, Melur Taluk, Madurai District subject to the aforesaid conditions. There shall be no order as to costs.

Sd/-

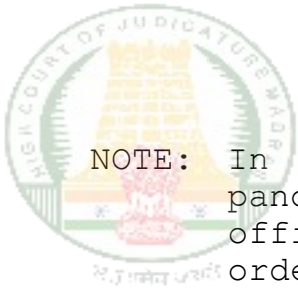
Assistant Registrar (CO)

// True Copy //

04/05/2022

Sub Assistant Registrar (CS)

vsd



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.

WEB COPY

TO

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Melur,
Madurai District.
- 3.The Inspector of Police,
Kottampatty Police Station,
Madurai District.
- 4.The Joint Secretary to Government,
CMPRF (Finance Department),
Secretariat Branch,
Chennai-9.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

WP(MD) No.8350 of 2022
Date : 28.04.2022

MGJ(04.05.2022) 3P 6C