



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2022

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P(MD).No.8816 of 2022

C.Aruchunan

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Deputy Superintendent of Police,
Cheranmahadevi,
Tirunelveli District.

3.The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, directing the respondents to grant permission and necessary protection to conduct the programme i.e., Vil Issai on 23.05.2022 at 09.00 PM and Karakattam on 24.05.2022 at 09.00 P.M. in the eve of Kodai Vizha festival of Arulmigu Vadakuva Selvi Utchimakali Amman Kovil at Vadakku Ariyanayagipuram, Cheranmahadevi Taluk, Tirunelveli District.

For Petitioner : Mr.C.Saravanakumar

For Respondents : Mr.B.Thanga Aravindh

Government Advocate (Criminal Side)

O R D E R

The prayer in this writ petition is to direct the respondents herein to grant permission and necessary protection to conduct the programme i.e., Vil Issai on 23.05.2022 at 09.00 PM and Karakattam on 24.05.2022 at 09.00 P.M. in the eve of Kodai Vizha festival of Arulmigu Vadakuva Selvi Utchimakali Amman Kovil at Vadakku Ariyanayagipuram, Cheranmahadevi Taluk, Tirunelveli District.

2. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate (Crl.side) appearing for 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.10,000/- (Rupees Ten 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 23.05.2022 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 cultural programs on 23.05.2022 and 24.05.2022 between 6.00 p.m., to 11.00 p.m., at Arulmigu Vadakuva Selvi Utchimakali Amman Kovil at Vadakku Ariyanayagipuram, Cheranmahadevi Taluk, Tirunelveli District, subject to the aforesaid conditions. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd

<https://hcservices.ecourts.gov.in/hcservices/>



To

- 1.The Superintendent of Police,
Tirunelveli District, Tirunelveli.
- 2.The Deputy Superintendent of Police,
Cheranmahadevi,
Tirunelveli District.
- 3.The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

COPY TO:-

THE OFFICER INCHARGE,
CHIEF MINISTER PUBLIC RELIEF FUND,
FINANCE (CMPRF) DEPARTMENT,
GOVERNMENT OF TAMIL NADU,
SECRETARIAT, CHENNAI 600 009.

+1 CC to M/s.C. SARAVANAKUMAR, Advocate (SR-22559[F]
dated 29/04/2022)

W.P (MD) .No.8816 of 2022
29.04.2022

sb (CO)
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