



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P (MD)No.9208 of 2022

K.Shanmugasundaram

... Petitioner

Vs

1.The Superintendent of Police,
Tenkasi District,
Tamil Nadu - 627 803.

2.The Deputy Superintendent of Police,
Puliyangudi,
Tenkasi District - 627 855.

3.The Inspector of Police,
Kadayanallur Police Station,
Tenkasi District.
Tamil Nadu - 627 751.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents to grant permission to Kerala Pugazh SSS Orchastra Aadal Padal Program and necessary protection to perform the AadalPadal Program at the festival in Arulmigu Sree Muthu Vinayagar, Sree Mutharamman Temple, Muthukrishnapuram, Kadayanallur Town, Tenkasi District on 06.05.2022 (Friday) at 7.00 pm to 11.00 pm based on the petitioners representation dated 28.04.2022.

For Petitioner : Mr.R.Rajesh Kumar
For Respondents : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)

ORDER

The prayer in this Writ Petition is to direct the respondents to grant permission to Kerala Pugazh SSS Orchastra Aadal Padal Program and necessary protection to perform the AadalPadal Program at the festival in Arulmigu Sree Muthu Vinayagar, Sree Mutharamman Temple, Muthukrishnapuram, Kadayanallur Town, Tenkasi District on 06.05.2022 (Friday) at 7.00 pm to 11.00 pm based on the petitioners representation dated 28.04.2022.

2. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Criminal Side) 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.

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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 **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 cultural program (ie.,) Kerala Pugazh SSS Orchastra Aadal Padal Program on **06.05.2022** between 6.00 p.m., and 11.00 p.m., at the festival in Arulmigu Sree Muthu Vinayagar, Sree Mutharamman Temple, Muthukrishnapuram, Kadayanallur Town, Tenkasi District, subject to the aforesaid conditions. There shall be no order as to costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

04/05/2022

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 Superintendent of Police,
Tenkasi District,
Tamil Nadu - 627 803.
- 2.The Deputy Superintendent of Police,
Puliyangudi,
Tenkasi District - 627 855.
- 3.The Inspector of Police,
Kadayanallur Police Station,
Tenkasi District.
Tamil Nadu - 627 751.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
5. The Joint Secretary to Government,
Chief Minister Public Relief Fund,
Secretariat,
Chennai-9

W.P (MD) No.9208 of 2022
29.04.2022

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