



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.05.2022

CORAM:

THE HONOURABLE MR.JUSTICE **M.S.RAMESH**

W.P. (MD)No.9381 of 2022

Sivasankar

.. Petitioner

Vs

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

2.The Inspector of Police,
Batlagundu Police Station,
Dindigul District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order dated 27.04.2022 in Na.Ka.No.22/PUBLIC/PIPS/2022, by the second respondent and quash the same as illegal and consequently directing the respondents 1 and 2 to grant permission and protection for cultural dance program in Adal Padal on 18.05.2022 of Arulmigu Sri Maha Parameshwari Mariyamman Temple, situated at West Street, Old Batlagundu, Nilakottai Taluk, Dindigul District.

For Petitioner	: Mr.S.Vellaichamy
For Respondents	: Mr.B.Thanga Aravindh Government Advocate (Crl. side)

ORDER

This Writ Petition has been filed to call for the records relating to the impugned order, dated 27.04.2022 made in Na.Ka.No.22/PUBLIC/PIPS/2022, passed by the second respondent and quash the same and consequently, direct the respondents 1 and 2 to grant permission and protection for cultural dance program in Adal Padal on 18.05.2022 of Arulmigu Sri Maha Parameshwari Mariyamman Temple, situated at West Street, Old Batlagundu, Nilakottai Taluk, Dindigul District.

2.Heard the learned counsel's on either side.

3. In a batch of Writ Petitions, this Court has been regulating the conduct of Aadal Padal Programme by imposing condition as such the present impugned order could be set aside and the same to be quashed and accordingly, quashed.

4.In identical circumstances, this Court had been granting permission to conduct Adal Padal events and similar cultural events,

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to various similarly placed petitioners. In the case of ***M.Sakthi Vs. State rep. by the Inspector of Police, Odapatti Police Station, Odapatti, Theni District*** passed in ***W.P.(MD) No.8975 of 2017 dated 10.05.2017***, a Hon'ble Division Bench of this Court had granted such a permission, with certain conditions. This Court is of the view that if the same conditions imposed in ***M.Sakthi***'s case (supra) are imposed to the present writ petitioners, the ends of justice could be secured.

5. Accordingly, there shall be a direction to the respondent herein to grant permission to the petitioner to conduct the cultural programme on 18.05.2022 at Arulmigu Sri Maha Parameshwari Mariyamman Temple, situated at West Street, Old Batlagundu, Nilakottai Taluk, Dindigul District between 8.00 a.m. and 11.00 p.m., subject to the following conditions:

'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 cultural Program shall be restricted between 8.00 a.m. 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.

f) in case, there are rival applicants for the same function, it is open to the Inspector of Police/concerned police to hear their objections and take a decision in accordance with the order passed by this Court.'

g) All the participants shall wear masks and maintain social distancing as per the norms fixed by the Government owing to COVID-19 situation.



6. With the above directions, this Writ Petition is allowed.
There shall be no order as to costs.

Sd/-

Vacation Officer

WEB COPY

// True Copy //

12/05/2022

Sub Assistant Registrar(CS)

trp/vsg

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,
Dindigul, Dindigul District.
2. The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S. VELLAICHAMY, Advocate (SR-23543[F] dated 06/05/2022)

W.P. (MD)No.9381 of 2022

06.05.2022

GM(CO)

GC(12.05.2022) 3P 5C