



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:18.05.2022

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

W.P(MD) . No.9981 of 2022

WEB COPY

Shiva Ganesan

... Petitioner

Vs

1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

2. The Inspector of Police,
Thatchanallur Police Station,
Tirunelveli District.

... Respondents

PRAYER :- Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents herein to grant permission to conduct the "Innisai Katcheri" on 18.05.2022 in pursuant to the "Kodai Vizha" of Sree Utchinimahaliyamman Thirukovil at Nainarkulam, Thatchanallur Village, Tirunelveli District, by considering the petitioner's representation dated 09.05.2022.

For Petitioner : Mr.S.Sundarapandian

For Respondents : Mr.B.Nambi Selvan,

Additional Public Prosecutor.

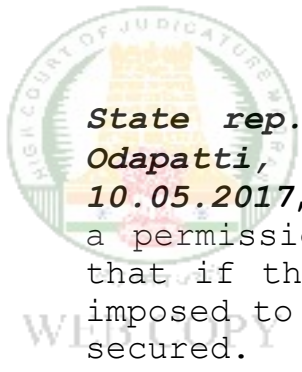
ORDER

This Writ Petition has been filed to issue a Writ of Mandamus, directing the Respondents herein to grant permission to conduct the "Innisai Katcheri" on 18.05.2022 in pursuant to the "Kodai Vizha" of Sree Utchinimahaliyamman Thirukovil at Nainarkulam, Thatchanallur Village, Tirunelveli District, by considering the petitioner's representation dated 09.05.2022.

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

3.The petitioner's request for conducting the cultural programme has not been acted upon by the respondent police, which prompted the petitioner to file the present writ petition.

4.In identical circumstances, this Court had been granting permission to conduct Adal Padal events and similar cultural events, 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 petitioner, the ends of justice could be secured.

5. Accordingly, there shall be a direction to the respondent police herein to grant permission to the petitioner to conduct the cultural programme on 18.05.2022 at Sree Utchinimahaliyamman Thirukovil at Nainarkulam, Thatchanallur Village, Tirunelveli 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 disposed of.
There shall be no order as to costs.

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// True Copy //

Sd/-

Vacation Officer

18/05/2022

Sub Assistant Registrar(CS)

csn

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 Commissioner of Police,
Tirunelveli City,
Tirunelveli.
2. The Inspector of Police,
Thatchanallur Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN

W.P(MD) No.9981 of 2022

Date : 18.05.2022

SP(CO)
GC(18.05.2022) 3P 4C