



W.P(MD)No.11338 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.05.2023

CORAM:

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI
AND**

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.11338 of 2023

P.Thamarai Selvam

... Petitioner

Vs.

1.The Superintendent of Police
Theni District,
Theni.

2.The Deputy Superintendent of Police,
Theni Circle,
Theni District.

3.The Inspector of Police
Veerapandi Police Station,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to give permission to the petitioner to organize dance program (Adal and Padal) on 12.05.2023 from 07.00 p.m. at Arulmigu



W.P(MD)No.11338 of 2023

Sri Mandu Karuppasamy Temple, Uppukottai Village, Theni District,
with light and sound by considering the petitioner's representation dated
28.04.2023.

For Petitioner : Mr.K.Srinivasaragavan
For Respondents : Mr.K.S.Selvaganesan,
Additional Government Pleader

ORDER

(Order of the Court was made by M.DHANDAPANI,J)

Mr.K.S.Selvaganesan, learned Additional Government
Pleader, takes notice on behalf of the respondents.

2. With the consent of both sides, this writ petition is taken
up for final hearing at the admission stage itself.

3. Prayer in this writ petition reads as follows:

"For the reasons stated in the accompanying
affidavit it is therefore prayed that this Hon-ble Court
may be pleased to issue a WRIT OF MANDAMUS
directing the respondents to give permission to the
petitioner to organize dance program (Adal and Padal)



on 12.05.2023 from 07.00 p.m. at Arulmigu Sri Mandu Karuppasamy Temple, Uppukottai Village, Theni District, with light and sound by considering the petitioner's representation dated 28.04.2023 and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice."

4. However, the learned Additional Government Pleader submits that earlier there was law and order problem in between two groups and they have already approached the competent civil Court for appropriate orders. Hence, he prayed for dismissal of the writ petition.

5. In response to the same, the learned counsel for the petitioner submitted that though there was law and order problem in the earlier occasion, in respect of conducting Adal Padal programme, subsequently, both the groups have entered into a compromise and the suit was also disposed of and both the groups will file an undertaking affidavit to that effect before the Law Enforcing Agency for conducting Adal Padal programme in a peaceful manner.



W.P(MD)No.11338 of 2023

6. After ascertaining the compromise entered into between them and on filing an undertaking affidavit with regard to conduct of Adal Padal programme, the Law Enforcing Agency is directed to consider the petitioner's application dated 28.04.2023 well in advance and grant permission with necessary police protection to conduct the festival followed by cultural programs including the dance program (Adal Padal) on 12.05.2023 between 7.00 p.m., and 10.00 p.m., at "Arulmigu Sri Mandu Karuppasamy Temple", Uppukottai Village, Theni District, subject to the following conditions :-

a)The event shall be conducted in an organized 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 aadal padal Program shall be restricted between 7.00 pm., and 10.00 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 and

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



W.P(MD)No.11338 of 2023

police to extend protection on some other day after giving due notice to the petitioner.

5. The writ petition is disposed of with the above directions.

No costs.

[M.D.I.,J.] [R.V.,J.]
04.05.2023

Index:Yes/No
Internet:Yes/No
NCC:Yes/No

VSN/RM

Note : Issue Order copy on 08.05.2023



W.P(MD)No.11338 of 2023

To

WEB COPY

- 1.The Superintendent of Police
Theni District,
Theni.
- 2.The Deputy Superintendent of Police,
Theni Circle,
Theni District.
- 3.The Inspector of Police
Veerapandi Police Station,
Theni District.



WEB COPY



W.P(MD)No.11338 of 2023

M.DHANDAPANI, J.

AND

R.VIJAYAKUMAR, J.

RM/VSN

ORDER MADE IN

W.P(MD)No.11338 of 2023

04.05.2023