



W.P(MD)No.11390 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

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Jeyaraj

... Petitioner

Vs.

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

2.The Sub Inspector of Police,
Bodi Taluk 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 Certiorarified Mandamus, calling for the impugned proceedings passed by the 2nd respondent in 140/Bodi Thaluka Ka.ni/2023 dated 27.04.2023 and quash the same and consequently, directing the Respondents to grant permission and necessary protection to perform the cultural program i.e., Adal Padal program on 04.05.2023 at 7.00 p.m. to 10.00 p.m. “Arulmigu



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Mariyamman Thirukovil Festival”, Keelapatti, Rasingapuram, Bodi, Theni District, based on the Petitioner's Representation dated 24.04.2023.

For Petitioner :Mr.V.Chandrapandi
For Respondents :Mr.N.Satheeshkumar,
Additional Government Pleader

ORDER

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

Mr.N.Satheeshkumar, 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 Certiorarified Mandamus, calling for the impugned proceedings passed by the 2nd respondent in 140/Bodi Thaluka



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Ka.ni/2023 dated 27.04.2023 and quash the same and consequently, directing the Respondents to grant permission and necessary protection to perform the cultural program i.e., Adal Padal program on 04.05.2023 at 7.00 p.m. to 10.00 p.m. “Arulmigu Mariyamman Thirukovil Festival”, Keelapatti, Rasingapuram, Bodi, Theni District, based on the Petitioner's Representation dated 24.04.2023."

4.The learned counsel appearing for the petitioner submitted that in order to conduct the abovesaid cultural programme on 04.05.2023, the petitioner sought permission from the police by giving a representation dated 24.04.2023. However, the second respondent rejected the said representation. Challenging the same, the petitioner has filed the present Writ Petition.

5.Considering the submission made by the learned counsel on either side, this Court is of the view that the second respondent may be directed to reconsider the representation of the petitioner and grant permission to conduct cultural program by imposing necessary conditions. Accordingly, the impugned order passed by the second



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respondent is hereby set aside. There will be a direction to the 2nd respondent to reconsider the application of the petitioner dated 24.04.2023 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 04.05.2023 between 7.00 p.m., and 10.00 p.m., at “Arulmigu Mariyamman Thirukovil Festival”, Keelapatti, Rasingapuram, Bodi, 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



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

6.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
SJ/TA

Note : Issue Order copy on 04.05.2023

To

- 1.The Superintendent of Police,
Theni District,
Theni.
- 2.The Sub Inspector of Police,
Bodi Taluk Police Station,
Theni District.



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M.DHANDAPANI, J.
AND
R.VIJAYAKUMAR, J.

SJ/TA

ORDER MADE IN
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04.05.2023