



W.P(MD)No.11415 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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Mohan

... Petitioner

Vs.

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

2.The Inspector of Police,
Pappanadu Police Station, Thanjavur District. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus by calling for the entire records pertaining to the impugned undated order passed by the 2nd respondent and quash the same and consequently direct the Respondents to accord permission for conducting “Aadal Padal cultural program” which is scheduled to be taken place on 06.05.2023 in connection with the Chithira Pournami Big festival of “ARULMEGU SRI MUTHUMARIAMMAN TEMPLE” Vellur, Orathanadu (Taluk), Thanjavur District.



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For Petitioner : Mr.M.Pitchai Muthu
For Respondents : Mr.D.Gandhiraj
Special Government Pleader

ORDER

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

Mr.D.Gandhiraj, learned Special 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 by calling for the entire records pertaining to the impugned undated order passed by the 2nd respondent and quash the same and consequently direct the Respondents to accord permission for conducting "Aadal Padal cultural program" which is scheduled to be taken place on 06.05.2023 in connection with the Chithira Pournami Big festival of "ARULMEGU SRI



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MUTHUMARIAMMAN TEMPLE” Vellur,
Orathanadu (Taluk), Thanjavur District 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.The learned counsel appearing for the petitioner submitted that in order to conduct the abovesaid cultural programme on 06.05.2023, the petitioner sought permission from the police by giving a representation dated 02.05.2023. 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 appearing for the petitioner, the impugned order passed by the second respondent is hereby set aside. There will be a direction to the respondents to reconsider the application of the petitioner dated 02.05.2023 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 06.05.2023 between 7.00 p.m., and 10.00 p.m., in connection with the Chithira Pournami Big



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festival of “ARULMEGU SRI MUTHUMARIAMMAN TEMPLE”

Vellur, Orathanadu (Taluk), Thanjavur 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 police to extend protection on some other day after giving due notice to the petitioner.



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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
cmr/ps

To

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

2.The Inspector of Police,
Pappanadu Police Station, Thanjavur District.



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M.DHANDAPANI, J.

AND

R.VIJAYAKUMAR, J.

cmr/ps

ORDER MADE IN

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04.05.2023