



W.P.(MD) No.12180 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.05.2023

CORAM:

**THE HON'BLE MR.T.RAJA, THE ACTING CHIEF JUSTICE
and
THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD) No.12180 of 2023

Natarajan

... Petitioner

Vs.

1.The Superintendent of Police
Sivagangai District,
Sivagangai.

2.The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.

3.The Inspector of Police
Kalayarkovil Police Station,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call

Page No.1/8



W.P.(MD) No.12180 of 2023

for the records relating to the proceedings in Na.Ka.No.17/R1-PS/INS/SVG/2023 dated 14.05.2023 on the file of the third respondent and quash the same and directing the respondents to grant permission to the petitioner for organizing a Tamil Drama "Valli Thirumanam" on 29.05.2023 and holding Cricket Competition between 27.05.2023 and 28.05.2023 as part of the festival in Sri Valividu Ayyanar Temple at Oyyavanthan Pechathakudi Piranthan Village, Kalayarkovil Taluk, Sivagangai District.

For Petitioner : Mr.V.Kannan

For Respondents : Mr.M.Prakash,
Additional Government Pleader

ORDER

**[Order of the Court was made by
The Hon'ble The ACTING CHIEF JUSTICE]**

Mr.M.Prakash, learned Additional Government Pleader takes notice for the respondents.



W.P.(MD) No.12180 of 2023

WEB COPY

2. Mr.Natarajan, son of Subramanian, resident of Pechathakudi Village, Kalayarkovil Taluk, Sivagangai District, has filed this writ petition questioning the correctness of the impugned order, dated 14.05.2023, in which, the Inspector of Police, Kalayarkovil, Sivagangai District, has flatly refused to grant permission to the petitioner to conduct "Valli Thirumanam" drama on 29.05.2023 as part of the village festival.

3. Learned Counsel appearing for the petitioner would submit that there are various temple festival celebrations conducted in respect of Sri Valividu Ayyanar Temple at Oyyavanthan Pechathakudi Piranthan Village, Kalayarkovil Taluk, Sivagangai District and various events are planned and organized by the Committee. A Committee has been constituted specifically to celebrate Puravi Eduppu Festival in a harmonious and grand manner by the villagers and other villagers also participate in the said festival. The said festival is organized in and around the mid of 'Vaikasi' Tamil month every year. The Temple Committee constituted is holding sports events and making arrangements

Page No.3/8



W.P.(MD) No.12180 of 2023

WEB COPY

to perform stage drama skits of old Tamil stories to promote enlightenment amongst the youths. For the said events, the petitioner submitted a representation, dated 06.05.2023 before the third respondent seeking permission to conduct the sports events and "Valli Thirumanam" drama. The said representation was rejected by the impugned order assigning cryptic reasons which in no manner an ordinary prudent man can accept. When the temple festival is being likely to be conducted by the villagers jointly as a part of the village festival, "Valli Thirumana" drama is also conducted to facilitate the villagers to entertain the said events and conducting "Valli Thirumana" drama in the village as part of the village festival, cannot be found fault with. The reasons assigned in the impugned order is in no way connected with the conduct all the other events in the village festival. Therefore, the same is liable to be set aside.

4. Learned Additional Government Pleader appearing for the respondents would submit that since two untoward incidents took place, anticipating further untoward incident would also create law and order situation in the village, the present impugned order is passed. Therefore,

Page No.4/8



W.P.(MD) No.12180 of 2023

WEB COPY

in the paramount interest of the villagers, the petitioner has to accept the impugned order and resolve not to conduct "Valli Thirumana" drama on 29.05.2023, as a part of the village festival. Hence, he prayed for dismissal.

5. We are unable to find any justification in the submission made by the learned Additional Government Pleader. It is an admitted fact that the villagers in Oyyavanthan Pechathakudi Piranthan Village, Kalayarkovil Taluk, have come forward to organize the village festival only and it is not an issue for the respondents to refuse to grant permission to conduct the village festival. Therefore, granting permission to conduct the village festival should go simultaneously along with conducting of cultural programme like "Valli Thirumanam" drama. Therefore, we set aside the impugned order. We direct the respondents to grant permission to conduct the festival and to conduct the cultural and sports events.



WEB COPY

W.P.(MD) No.12180 of 2023

6. Learned counsel for the petitioner also submitted that the festival committee would also take all precautionary measures to ensure that no untoward incident took place, till the completion of the festival. The said submission is recorded.

7. With the above directions, the writ petition stands allowed. No costs.

[T.R., A.C.J.] [L.V.G.,J.]
17.05.2023

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

RM



WEB COPY



W.P.(MD) No.12180 of 2023

To

- 1.The Superintendent of Police
Sivagangai District,
Sivagangai.
- 2.The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.
- 3.The Inspector of Police
Kalayarkovil Police Station,
Sivagangai District.



WEB COPY



W.P.(MD) No.12180 of 2023

T.RAJA, A.C.J.
and
L.VICTORIA GOWRI, J.

RM

ORDER MADE IN
W.P.(MD) No.12180 of 2023

DATED : 17.05.2023