



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 03.04.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.8500 of 2024
and
W.M.P.(MD)No.7708 of 2024

K.Velraj

... Petitioner

Vs.

1.The Assistant Election Officer / District Supplies
and Consumer Protection Officer,
Theni,
Theni District.

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

3.The Inspector of Police,
Bodinaickanur Taluk Police Station,
Theni District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the rejection order in Na.Ka.No.3949/2024/E1-58 dated 28.03.2024 passed by the first respondent and quash the same and



consequently direct the respondents to grant permission and protection for conducting Adal Padal program scheduled to be held on 03.04.2024 at 6.00 p.m to 10.00 p.m in connection with “Thiruvizha” at Arul Migu Sri Kaliamman Thirukovil at Ramakrishnapuram, Uthamapalayam Taluk, Theni District.

For Petitioner : Mr.V.Manikandan

For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader for R.1

Mr.A.Albert James
Government Advocate (Criminal Side)
for R.2 & R.3

ORDER

Heard both sides.

2.The petitioner wants to conduct cultural program today (03.04.2024) from 06.00 p.m to 10.00 p.m. His request was rejected. Challenging the same, the present writ petition came to be filed.

3.It is stated in the affidavit filed in support of the writ petition that such events are held every year in connection with the temple festival.



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Merely because parliamentary election are going to be held and model code of conduct was come into force. It cannot be a ground for refusing the permission. Clause – 2 set out in the proceedings dated 28.03.2024 issued by the first respondent is set aside. The petitioner can very well conduct the aforesaid cultural program. However, the petitioner must ensure that there is no obscene dance. Decibel levels should be kept within permissible limit. The entire program should be concluded within 10.00 p.m.

4.This writ petition is allowed accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

03.04.2024

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

Note : Issue order copy on 03.04.2024.



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G.R.SWAMINATHAN,J.

MGA

To

- 1.The Assistant Election Officer / District Supplies
and Consumer Protection Officer,
Theni,
Theni District.
- 2.The Deputy Superintendent of Police,
Bodinaickanur,
Theni District.
- 3.The Inspector of Police,
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