



W.P.(MD).No.11362 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 23.05.2024

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THE HON'BLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.11362 of 2024

Praveen

... Petitioner

Vs

1. The Deputy Superintendent of Police,
Kulithalai,
Karur District.

2. The Inspector of Police,
Lalapettai Police Station,
Karur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to permit the petitioner to conduct the Gramiya Kalai Nigalchi program scheduled to be held on 26.05.2024 at 07.00 pm to 10.00 pm on the eve of festival for the temple Sri Maha Mariyamman Temple festival Chinthalavadi, Krishnarayapuram Taluk, Karur District.

For Petitioner : Mr.M/s.M.Saravanan,
For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor



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ORDER

This Writ Petition is filed seeking a Writ of Mandamus, to direct the respondents to grant permission to conduct the Gramiya Kalai Nigalchi program scheduled to be held on 26.05.2024 at 07.00 pm to 10.00 pm on the eve of festival for the temple Sri Maha Mariyamman Temple festival Chinthalavadi, Krishnarayapuram Taluk, Karur District.

2. In similar matters, where permission was sought for to conduct Adal Padal programmes, the Hon'ble Division Bench of this Court in ***W.P. (MD)No.12535 of 2023*** in the case of ***C.Sathasivam Vs. The Superintendent of Police, Trichy and another***, had an occasion to consider the issue and in the said decision dated 24.05.2023, the Division Bench had issued the following directions to the respondents therein:

“15. Therefore, this Court, in order to give a quietus to such issues, disposes of this writ petition with the following directions:

(a) On the seventh day from the date of the receipt of the representation, for the conduct of the cultural program (Adal Padal), associated with any temple festival, if the authorities do



not take steps either to grant permission or reject permission, there shall be a deemed permission on the eighth day;

(b) On such deemed permission, the organisers, who shall be the responsible members of the festival committee, shall ensure that only cultural programs having some relevance to the temple or the festival in question would be conducted and there shall not be any obscene display/dance being conducted;

(c) The program shall not extend beyond 10 p.m.;

(d) No women participating in the cultural program would be depicted or portrayed in an obscene or undignified manner either in the form of clothing or otherwise;

(e) The music that shall be used shall be in sync with the precincts of the temple and double meaning songs should not be played;

(f) There shall be no supply of alcohol or any intoxicating material in and around the area where cultural program is scheduled to be held;

In case of violation of any conditions, it is open to the authorities to initiate such action as is required under law and the persons who are the organisers/committee members shall be held responsible. The Public Prosecutors shall ensure circulation of this order to the Superintendent of Police of all the Districts for issuing suitable instructions to their subordinate officers. No costs."



W.P.(MD).No.11362 of 2024

3. In the instant case, the writ petitioner has given a representation to the respondents seeking permission to conduct Gramiya Kalai Nigalchi programme. However, the writ petitioner's representation has not been considered till date. Necessarily, the respondents will have to abide by the directions of the Division Bench of this Court in the aforesaid decision. In view of the same, the representation of the writ petitioner will have to be considered by the first respondent on merits and in accordance with law after giving due consideration to the directions issued by the Division Bench of this Court in ***W.P.(MD).No.12535 of 2023 dated 24.05.2023*** in the case of ***C.Sathasivam Vs. The Superintendent of Police, Trichy and another.***

4. Accordingly, the first respondent is directed to pass final orders on merits and in accordance with law on the writ petitioner's representation, dated 21.05.2024 in the light of the directions issued by the Division Bench of this Court on 24.05.2023 in ***W.P.(MD).No.12535 of 2023*** in the case of ***C.Sathasivam Vs. The Superintendent of Police, Trichy and another***, on or before 24.05.2024.



W.P.(MD).No.11362 of 2024

5. In view of the above, this Writ Petition is allowed. There shall be
no order as to costs.

23.05.2024

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

Note : Issue order copy on 24.05.2024.

To

1. The Deputy Superintendent of Police,
Kulithalai,
Karur District.

2. The Inspector of Police,
Lalapettai Police Station,
Karur District.



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S.SRIMATHY, J.

jbr

ORDER IN
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