



W.P(MD)No.18952 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.08.2024

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CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.18952 of 2024

and

W.M.P(MD)No.16009 of 2024

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: Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Manamadurai Sub Division,
Sivagangai District.

3.The Sub Inspector of Police,
Palayanur Police Station,
Sivagangai District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order, dated 01.08.2024 passed by the third respondent and quash the same as illegal and consequently, direct the third respondent to give permission and protection to perform the “Adal Padal” on 07.08.2024 in respect of the temple festival of “Mulaipari Vizha” temple namely “Sree Alagiya Meenal Kovil” situated at Thanjakkur, Manamadurai Taluk, Sivagangai District.



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For Petitioner : Mr.A.Balaji
For Respondents : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.

ORDER

This Writ Petition has been filed seeking a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order, dated 01.08.2024 passed by the third respondent and quash the same as illegal and consequently, direct the third respondent to give permission and protection to perform the “Adal Padal” on 07.08.2024 in respect of the temple festival of “Mulaipari Vizha” in temple namely “Sree Alagiya Meenal Kovil” situated at Thanjakkur, Manamadurai Taluk, Sivagangai District.

2. Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The learned counsel appearing for the writ petitioner would submit that “Mulaipari Vizha” in Tamil month of Aadi in “Sree Alagiya Meenal Kovil” situated at Thanjakkur, Manamadurai Taluk, Sivagangai District is going to be held from 05.08.2024 to 07.08.2024; that they are going to conduct a cultural programme on the said days; that they have sought



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permission of the police by giving representation, dated 28.07.2024 before the third respondent; that the third respondent has passed the impugned order, dated 01.08.2024 rejecting the permission and that therefore, they were constrained to approach this Court.

4. The learned Additional Public Prosecutor appearing for the respondents would submit that the third respondent has permitted the petitioner to conduct drama on 05.08.2024 at about 10.00 pm and another drama on 06.08.2024, but permission for conducting musical programme (Adal Padal) was rejected. He would further submit that there is every possibility for law and order problem issue, if such programme is proceeded with.

5. At this juncture, the learned counsel for the petitioner would submit that the Adal Padal programme came to be conducted in the last year and there was no issue or problem whatsoever.

6. The learned Additional Public Prosecutor appearing for the respondents, on instructions, would fairly admit that similar programme came to be conducted in the last year. But, he would further submit that the



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organizers may be directed to follow the conditions, which were given by the Hon'ble Division Bench of this Court in W.P.(MD)No.12535 of 2023, dated 24.05.2023.

7. The learned counsel for the petitioner would submit that they will follow the directions of the Hon'ble Division Bench without any deviation.

8. At this juncture, it is necessary to refer the directions issued by the Hon'ble Division Bench in W.P.(MD)No.12535 of 2023, dated 24.05.2023.

“ 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



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obscene display/dance being conducted;

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(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."

9. It is also brought to the notice of this Court that the Director General of Police, Tamil Nadu, Chennai had issued a circular memorandum in Rc.007301/Genl.I (1)/2019, dated 09.04.2019, along with instructions to the



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Inspectors of Police throughout Tamil Nadu for consideration of applications seeking permission for conducting cultural programme. Therefore, in view of the detailed circular and guidelines issued by the Director General of Police and taking note of the undertaking on behalf of the petitioner that they will follow the direction of the Hon'ble Division Bench and also the fact that the petitioner's representation for conducting musical programme came to be rejected, the writ petitioner is directed to give a fresh representation to the third respondent seeking permission and on such receipt of the same, the third respondent is directed to consider the same and pass suitable orders based on the above said circular.

10. With the above directions, this writ petition stands disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

05.08.2024

NCC : Yes/ No
Index : Yes/No
Internet : Yes/ No
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Note : Issue order copy on **06.08.2024**.



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To

- 1.The Superintendent of Police,
Sivagangai District, Sivagangai.
- 2.The Deputy Superintendent of Police,
Manamadurai Sub Division,
Sivagangai District.
- 3.The Sub Inspector of Police,
Palayanur Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

das

Order made in
W.P(MD)No.18952 of 2024
and
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05.08.2024