



W.P(MD)No.19673 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.19673 of 2024

G.Karthick

: Petitioner

Vs.

1.The Collector,
District Collector Office,
Tirunelveli.

2.The Superintendent of Police,
Superintendent of Police Office,
Tirunelveli.

3.The Inspector of Police,
Thisayinvilai Police Station,
Tirunelveli.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to grant permission to conduct Adal Padal programme on 20.08.2024 during Arulmigu Kottaivilai Sri Mutaramman Kovil Festival at Marudhachivilai, Thisayinvilak Taluk, Tirunelveli by considering the petitioner's representation, dated 23.07.2024.



WEB COPY



W.P(MD)No.19673 of 2024

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

ORDER

The writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus, directing the respondents to grant permission to conduct Adal Padal programme on 20.08.2024 during Arulmigu Kottaivilai Sri Mutaramman Kovil Festival at Marudhachivilai, Thisayinvilak Taluk, Tirunelveli by considering the petitioner's representation, dated 23.07.2024.

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 submitted that Thiruvizha for the temple, by name, “Arulmigu Kottaivilai Sri Mutaramman Kovil at Marudhachivilai, Thisayinvilak Taluk, Tirunelveli, is going to be held on 19.08.2024 to 21.08.2024. Subsequent to the



W.P(MD)No.19673 of 2024

same, in order to conduct a cultural programme on 20.08.2024, they sought permission of the police by giving a representation dated 23.07.2024. Since no order was passed, the writ petitioner has come before this Court for the above said relief.

4. The learned Additional Public Prosecutor appearing for the respondents would submit that the third respondent has received the representation of the writ petitioner and the same is pending for consideration. He would further submit that the 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.

5. At this juncture, the learned counsel appearing for the writ petitioner would submit that they will follow the directions of the Hon'ble Division Bench without any deviation.

6. 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.



WEB COPY



W.P(MD)No.19673 of 2024

“ 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



WEB COPY



W.P(MD)No.19673 of 2024

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.”

7. 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 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, the writ petitioner is directed to file an undertaking affidavit that they will follow the directions of the Hon'ble Division Bench without any deviation before the third respondent police and on such filing, the third respondent police is hereby directed to consider the representation of the writ petitioner, dated 23.07.2024 and pass suitable orders today itself (16.08.2024) based on the above said circular.



W.P(MD)No.19673 of 2024

WEB COPY

8. With the above directions, this writ petition stands disposed of.

No costs.

16.08.2024

NCC : Yes/ No

Index : Yes/No

Internet : Yes/ No

das

Note : Issue order copy on **16.08.2024**.

To

- 1.The Collector,
District Collector Office,
Tirunelveli.
- 2.The Superintendent of Police,
Superintendent of Police Office,
Tirunelveli.
- 3.The Inspector of Police,
Thisayinvilai Police Station,
Tirunelveli.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P(MD)No.19673 of 2024

K.MURALI SHANKAR, J.

das

Order made in
W.P(MD)No.19673 of 2024

16.08.2024