



W.P.(MD)No.21646 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.21646 of 2024

V.G.Kandasamy

...Petitioner

Vs.

1.The State of Tamil Nadu,
rep. by the Superintendent of Police,
Pudukkottai District,
Pudukkottai.

2.The Sub Inspector of Police,
Nagudi Police Station,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to provide adequate police protection in the event of Maha Kumbabishegam to be held on 16.09.2024 in Arulmighu Sri Pooranambigai, Sri Pushpakalambigai, Sametha Sri Pulikutti Ayyanar and other village deities in Pattamudaiyan Village, Avudaiyarkovil Taluk, Pudukkottai District and to grant permission and protection to perform devotional Valli Thirumanam stage drama in front of the above temple on 16.09.2024 at about 10.00 p.m. by considering the representation of the petitioner dated 24.08.2024.



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For Petitioner : Mr.I.Suthakaran

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

The Writ Petition has been filed seeking orders to direct the second respondent to provide adequate police protection in the event of Maha Kumbabishegam to be held on 16.09.2024 in Arulmighu Sri Pooranambigai, Sri Pushpakalambigai, Sametha Sri Pulikutti Ayyanar and other village deities in Pattamudaiyan Village, Avudaiyarkovil Taluk, Pudukkottai District and to grant permission and protection to perform devotional Valli Thirumanam stage drama in front of the above temple on 16.09.2024 at about 10.00 p.m. by considering the representation of the writ petitioner dated 24.08.2024.

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. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents would submit



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that the representation of the writ petitioner is pending before the second respondent. He would further submit that the writ petitioner has sought for permission to conduct the drama on 16.09.2024 at about 10.00 p.m. and that they may be permitted to conduct the drama on 16.09.2024 from 08.00 p.m. to 10.00 p.m. and 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.***

4. 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.

5. 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



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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.”



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6. 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 and taking note of the undertaking on behalf of the writ petitioner that they will follow the direction of the Hon'ble Division Bench, the second respondent is directed to consider the writ petitioner's representation and pass suitable orders based on the above said circular within a period of two days from today (11.09.2024).

7. With the above directions, the Writ Petition stands disposed of.

No costs.

11.09.2024

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

csm

Note : Issue order copy today (11.09.2024)



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- To
- 1.The Superintendent of Police,
Pudukkottai District,
Pudukkottai.
 - 2.The Sub Inspector of Police,
Nagudi Police Station,
Pudukkottai District.
 - 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

csm

Order made in
W.P.(MD)No.21646 of 2024

Dated : 11.09.2024