



W.P(MD)No.14277 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.05.2025

CORAM:

THE HONOURABLE MR. JUSTICE P.VADAMALAI

W.P(MD) No.14277 of 2025

M.Arumugakani

... Petitioner

Vs

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

2.The Sub-Inspector of Police,
Masarpatti Police Station,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India to issue a **Writ of Certiorarified Mandamus** to call for the records relating to the impugned order passed by the second respondent in his proceedings in Na.Ka.No.09/V.5.P.S/TUT/2025, dated 07.05.2025 and quash the same as illegal, consequently, directing the respondents to grant permission and necessary protection to conduct ' Adal Padal' programme on 22.05.2025 at 07.00 pm to 10.00 pm in connection with “Vaigasi Thiru Vizha” of Arulmigu Sri Pathirakaliamman Thirukovil, Vembur, Ettayapuram Taluk, Thoothukudi District.

For petitioner :Mr.R.Karthic Rajan,

For respondents : Mr.R.M.Anbunithi,
Additional Public Prosecutor (Crl.Side)



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ORDER

This petition is filed by the petitioner to quash the impugned order passed by the second respondent in his proceedings in Na.Ka.No.09/V.5.P.S/TUT/2025, dated 07.05.2025 and quash the same as illegal, consequently, directing the respondents to grant permission and necessary protection to conduct ' Adal Padal' programme on 22.05.2025 at 07.00 pm to 10.00 pm in connection with “Vaigasi Thiru Vizha” of Arulmigu Sri Pathirakaliamman Thirukovil, Vembur, Ettayapuram Taluk, Thoothukudi District.

2. The learned counsel for the petitioner would submit that the petitioner is the resident of the village and the villagers decided to conduct festival and thereby, they decided to conduct Adal Padal programme on 22.05.2025. Hence, they approached the second respondent on 07.05.2025 for grant of permission and the same was declined on 07.05.2025 by citing law and order issue. Now, the petitioner undertakes to conduct Adal Padal programme without any law and order issue and the second respondent cannot deny to grant permission only based on the law and order issue. Therefore, the order passed by the second respondent is liable to be set aside.



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WEB COPY 3. The learned Additional Public Prosecutor (Crl.Side) appearing for the respondents would submit that they received the representation of the petitioner for conducting Adal Padal programme on 22.05.2025 and on 07.05.2025 by citing law and order issue, the representation was rejected. Therefore, the order passed by the third respondent is in order and the present petition is liable to be dismissed.

4. This Court heard both sides and perused the records.

5. According to the petitioner, he sent a representation to the second respondent to grant permission for conducting Adal Padal programme on 22.05.2025, but the second respondent rejected the same on the ground of law and order issue. Now, the petitioner undertakes to conduct the Adal Padal programme without creating any law and order issue. Since the Adal Padal programme is one of the cultural programmes and the petitioner undertakes to conduct the programme without any law and order issue, the second respondent cannot deny to grant permission only on the ground of law and order issue. Hence, the order passed by the second respondent is liable to be quashed.



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WEB COPY 6. Accordingly, there shall be a direction to the second respondent herein to grant permission to the petitioner to conduct Festival and cultural programme (Adal Paadal) on 22.05.2025 at Arulmigu Sri Pathirakaliamman Thirukovil, Vembur, Ettayapuram Taluk, Thoothukudi District, subject to the following conditions:

'a)The event shall be conducted in an organised and peaceful manner without causing law and order problem.

b)There shall not be any obscene or vulgar scenes during the dance performance by any one of the participants or others.

c)The cultural Program shall be restricted between 07.00 p.m. and 10.00 p.m.

d)If there is any violation of the above said conditions, the respondents or the duly authorised officer is entitled to take necessary action as per law and stop such performance.

e)In case if there is any discrepancy with regard to the date on which the program is to be conducted, it would be open to the respondent police to extend protection on some other day after giving due notice to the petitioner.

f) in case, there are rival applicants for the same function, it is open to the Inspector of Police/concerned police to hear their objections and take a decision in accordance with the order passed by this Court.'



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7. It is open to respondent police to put any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquility. There can be a total ban for putting up any Flex Boards representing any community.

8. The uploaded copy can be utilised for the purpose of execution of the Order.

9. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

21.05.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
das

To

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



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P.VADAMALAI, J.

das

Order made in
W.P(MD) No.14277 of 2025

21.05.2025