

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.05.2015

CORAM :

THE HONOURABLE DR.JUSTICE S.TAMILVANAN

W.P.No.14231 of 2015

A.Kaliyaperumal

... Petitioner

vs.

The Inspector of Police
Mangalapuram Police Station
Namakkal District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of mandamus, directing the respondent authority to grant permission to conduct the dance and song programme at Mangalababu Post, Rasipuram Taluk, Namakkal District 636 202 at the festival of Mangalapuram Ambedkar Nagar Mariamman Koil Thiruvila on 13.5.2015 by considering the representation dated 2.5.2015.

For Petitioner : Mr.V.Ravichandran

For Respondent : Mr.T.N.Rajagopalan,
Special Government Pleader

O R D E R

This writ petition has been filed under Article 226 of the Constitution of India, seeking an order in the nature of Writ of Mandamus, to direct the respondent to to grant permission to conduct the dance and song programme at Mangalababu Post, Rasipuram Taluk, Namakkal District 636 202 at the festival of Mangalapuram Ambedkar Nagar Mariamman Koil Thiruvila on 13.5.2015 by considering the representation dated 2.5.2015.

2.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent.

3.Learned counsel for the petitioner would submit that the petitioner is the Head of the Organizing Committee of Mangalapuram

Ambedkar Nagar Marriamman Koil Thiruvila and every year temple festival is being conducted by the villagers and this year also, the villagers jointly decided to conduct the village temple festival, with 'dance and song programme' on 13.05.2015. In this connection, a representation was given on 02.05.2015 to the respondent, with a request to grant permission to conduct the dance and song programme on 13.05.2015, however no order was passed by the respondent on the said representation and hence the petitioner is before this Court with this writ petition. The learned counsel for the petitioner further submitted that as the temple festival is celebrated in a peaceful manner by the villagers, there will be no untoward incident by the people of the village.

4. Mr.T.N.Rajagopalan, learned Special Government Pleader appearing for the respondent, on instructions, would submit that the permission sought for by the petitioner may be granted with stringent conditions for maintaining law and order and also to avoid any untoward incident during performance of such programme.

5. Having considered the facts and circumstances and the submissions made by the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondent, this Court is of the view that necessary permission shall be granted to the petitioner and his villagers to conduct 'dance and song programme' in connection with Mangalapuram Ambedkar Nagar Marriamman Koil Thiruvila, on 13.05.2015 between 6.00 p.m. and 10.30 p.m., however, with the following conditions:-

(a) The petitioner has stated that he is the Head of the Organizing Committee of Mangalapuram Ambedkar Nagar Marriamman Koil, however, the respondent is directed to verify the said factum.

(b) The dance and song programme in connection with Mangalapuram Ambedkar Nagar Marriamman Koil Thiruvila, be held on 13.05.2015 between 6.00 p.m. and 10.30 p.m.

(c) There should not be any kind of obscene dance or vulgar dialogues during the performance, by anyone of the participants;

(d) Double meaning songs should not be played so as to spoil the minds of students and youths.

(e) No dance or songs, touching upon any political party or religion or community or caste be played.

(f) No flex boards in support of any political party or communal leader be erected.

(g) The function should not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(h) If there is any violation of any one of the conditions imposed, the police officer concerned is at liberty to take necessary

action, as per law and stop such performance; and

(i) Similarly, the police is entitled to stop the dance programme, if it exceeds beyond the permitted time.

(j) The respondent is directed to issue necessary permission, incorporating the above conditions.

Accordingly, the writ petition is disposed of. No order as to costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

ssk.

To

The Inspector of Police
Mangalapuram Police Station
Namakkal District.

+1cc to Mr.V.Ravichandran, Advocate, S.R.No.25016

W.P.14231 of 2015

SAI (CO)
CA(08/05/2015)



WEB COPY