



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2015

CORAM:

THE HONOURABLE Mr.JUSTICE M.M.SUNDRESH

Writ Petition(MD)No.10106 of 2015

S.Duraimani

... Petitioner

Vs.

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

2.The Sub Inspector of Police,
Thattaparai Police Station,
Thoothukudi District.

... Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents to grant permission and protection for Adal Padal Program perform by "Alangulam Muthalamman Group" in "Thiruvizha" scheduled to be held on 09.07.2015 at Arulmigu Sri Pathirakaliamman Thirukovil at Thimmarajapuram Post, Thoothukudi District.

For Petitioner : Mr.R.Karthic Rajan

For Respondents : Mr.R.Karthikeyan
Additional Government Pleader

ORDER

Mr.R.Karthikeyan learned Additional Government Pleader takes notice on behalf of the respondents. By consent, the writ petition is taken up for disposal at the stage of admission.

2. This Writ Petition has been filed seeking for the issuance of Writ of Mandamus, to direct the respondents to grant permission and protection for Adal Padal Program perform by "Alangulam Muthalamman Group" in "Thiruvizha" scheduled to be held on 09.07.2015 at Arulmigu Sri Pathirakaliamman Thirukovil at Thimmarajapuram Post, Thoothukudi District.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4. The learned counsel for the petitioner submitted that the petitioner, being a resident of Sri Pathirakaliamman kovil, Thimmarajapuram Post, Thoothukudi District 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 "Aadal Padal programme" on 09.07.2015. In this connection, a representation was given



on 12.06.2015 to the respondent police, with a request to grant permission to conduct "Adal Padal Programme" on 09.07.2015, however no order was passed by the respondents 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.R.Karthikeyan, learned Additional 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 Additional 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 'Adal Padal programme' in connection with the temple festival of Arulmigu Sri Pathirakaliamman Thirukovil at Thimmarajapuram Post, Thoothukudi District.

6. Accordingly, the writ petition is disposed of with the following directions:

(a) The cultural programme in connection with the temple Festival of Arulmigu Sri Pathirakaliamman Thirukovil at Thimmarajapuram Post, Thoothukudi District, be held on **09.07.2015** between **06.00 p.m. and 10.30 p.m.**

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

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

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

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

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

(g) If there is any violation of any one of the conditions imposed, the concerned police officer is at liberty to take necessary action, as per law and stop such performance; and

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

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

No costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar



To

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

2.The Sub Inspector of Police,
Thattaparai Police Station,
Thoothukudi District.

+1cc to M/S.R.KARTHIC RAJAN, Advocate in SR.No 32682

+1cc to Special Government Pleader in SR.No. 32654

TS/23.06.2015/3P -5C

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22.06.2015