



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 25.06.2015

CORAM:
THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

WEB COPY

W.P (MD) No.10227 of 2015

M.Sundhara Pandian

... Petitioner

Vs.

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

2.The Inspector of Police,
Town West Police Station,
Dindigul District.

... Respondents

Prayer:WRIT Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents to grant permission to conduct cultural program (Adal Padal) on 03.07.2015 of "Sri Selva Vinayagar, Sri Selva Kaliyamman, Sri Selva Bagavathi Amman and Sri Selva Karuppana Swamy" Temples situated at Karunathi Nagar, Palani Road, Dindugul Town.

For Petitioner : Mr.A.Chandrakumar
For Respondents : Mr.S.Murugan
Govt.Advocate

O R D E R

This writ petition has been filed seeking for the issuance of Writ of Mandamus, directing the respondents to grant permission to conduct cultural program (Adal Padal) on 03.07.2015 of "Sri Selva Vinayagar, Sri Selva Kaliyamman, Sri Selva Bagavathi Amman and Sri Selva Karuppana Swamy" Temples situated at Karunathi Nagar, Palani Road, Dindugul Town.

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

3.Learned counsel for the petitioner would submit that the petitioner is the Administrator of "Sri Selva Vinayagar, Sri Selva Kaliyamman, Sri Selva Bagavathi Amman and Sri Selva Karuppana Swamy" Temples situated at Karunathi Nagar, Palani Road, Dindugul Town and every year temple festival is being conducted by the



villagers and this year also, the villagers jointly decided to conduct the cultural Dance Programme on 03.07.2015. In this connection, a representation was given on 18.06.2015 to the second respondent, with a request to grant permission to conduct cultural program (Adal Padal) on 03.07.2015, 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.S.Murugan, learned Additional Government Pleader appearing for the respondents, 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 Government Advocate appearing for the respondents, this court is of the view that necessary permission shall be granted to the petitioner and his villagers to conduct cultural program (Adal Padal) in connection with the temple festival of "Sri Selva Vinayagar, Sri Selva Kaliyamman, Sri Selva Bagavathi Amman and Sri Selva Karuppana Swamy" Temples situated at Karunathi Nagar, Palani Road, Dindugul Town.

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

(a)The cultural programme in connection with temple Festival at "Sri Selva Vinayagar, Sri Selva Kaliyamman, Sri Selva Bagavathi Amman and Sri Selva Karuppana Swamy" Temples situated at Karunathi Nagar, Palani Road, Dindugul Town be held on 03.07.2015 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.



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(i) The second respondent is directed to issue necessary permission, incorporating the above conditions.
No costs.

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To

1. The Superintendent of Police,
Dindigul District,
Dindigul.
2. The Inspector of Police,
Town West Police Station,
Dindigul District.

1CC TO MR. A.CHANDRA KUMAR, ADV SR: 3396

1CC TO THESPL GP SR34055

DM 24 JUNE 15 3P 5C

W.P (MD) No.10227 of 2015

25.06.2015