



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.06.2015

CORAM:

THE HONOURABLE Mr. JUSTICE M.M. SUNDRESH

Writ Petition (MD) No. 10695 of 2015

WEB COPY

G.Kumar

... Petitioner

Vs.

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

2. The Inspector of Police,
Salaigraman Police Station,
Salaigramam,
Sivagangai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to grant permission and protection for Adal Padal Programme in "Urchava Thiruvizha" scheduled to be held on 04.07.2015 at Arulmigu Sri Shenbagathu Ayyanar Thirukovil at Kattanur Village, Muthur Post, Elayankudi, Salaigramam Taluk, Sivagangai District.

For Petitioner : Mr.R.Karthick Rajan

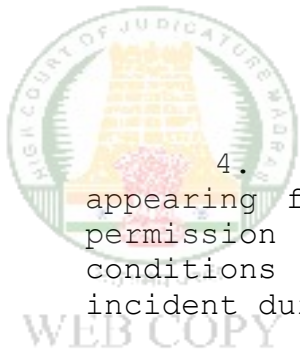
For Respondents : Mr.R.Karthikeyan
Additional Government Pleader

ORDER

The Writ Petition has been filed seeking for the issuance of Writ of Mandamus, directing the respondents to grant permission and protection for Adal Padal Programme in "Urchava Thiruvizha" scheduled to be held on 04.07.2015 at Arulmigu Sri Shenbagathu Ayyanar Thirukovil at Kattanur Village, Muthur Post, Elayankudi, Salaigramam Taluk, Sivagangai District.

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

3. The learned counsel for the petitioner would submit that the petitioner is the Member of the Vizha Committee of Temple in Arulmigu Sri Shenbagathu Ayyanar Thirukovil at Kattanur Village, Muthur Post, Elayankudi, Salaigramam Taluk, Sivagangai District and they decided to celebrate Urchava Thiruvizha with "Aadal Padal programme" on 04.07.2015. In this connection, a representation was given on 24.06.2015 to the respondents by registered post, with a request to grant permission to conduct "Adal Padal Programme" on 04.07.2015, however no order was passed by the second 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.R.Karthikeyan, 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 Additional Government Pleader appearing for the respondents, 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 "Urchava Thiruvizha" of Arulmigu Sri Shenbagathu Ayyanar Thirukovil at Kattanur Village, Muthur Post, Elayankudi, Salaigramam Taluk, Sivagangai District.

6. Accordingly, the Writ Petition is disposed of with the following directions:

(a) The cultural programme in connection with the Urchava Thiruvizha of Arulmigu Sri Shenbagathu Ayyanar Thirukovil at Kattanur Village, Muthur Post, Elayankudi, Salaigramam Taluk, Sivagangai District be held on 04.07.2015 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 third respondent is directed to issue necessary permission, incorporating the above conditions.

No costs.

Sd/-
Assistant Registrar(AE)

/True copy/



To

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

2. The Inspector of Police,
Salaigraman Police Station,
Salaigramam,
Sivagangai District.

+1cc to Mr.R.Karthic Rajan,Advocate SR.No.34462
+1cc to Special Govt.Pleader SR.No.34634

W.P(MD)No.10695 of 2015
29.06.2015

akv

PA/PPS/30.06.2015/3P/5C(IT)