



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.06.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

W.P (MD) No.10723 of 2015

WEB COPY

S.Jeyakumar

... Petitioner

Vs.

The Inspector of Police,
Sathurvedhamangalam Police Station,
Sivagangai District.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondent to grant permission and protection for cultural event namely Adal Padal scheduled to be held on 30.06.2015 at night in connection with "Aani Car Festival" in Arulmigu Sri Meenakshi Chockanathar Kovil at Muraiyur Village, Thiruppathur Taluk, Sivagangai District.

For Petitioner : Mr.M.S.Jeyakarthick

For Respondent : Mr.M.Murugan
Addl.Govt.Pleader

O R D E R

This writ petition has been filed seeking for the issuance of Writ of Mandamus, directing the respondent to grant permission and protection for cultural event namely Adal Padal scheduled to be held on 30.06.2015 at night in connection with "Aani Car Festival" in Arulmigu Sri Meenakshi Chockanathar Kovil at Muraiyur Village, Thiruppathur Taluk, Sivagangai District.

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

3.Learned counsel for the petitioner would submit that the petitioner is the Member of Vizha Committee of Arulmigu Sri Meenakshi Chockanathar Kovil at Muraiyur Village, Thiruppathur Taluk, Sivagangai District and every year temple festival is being conducted by the villagers and this year also, the villagers jointly decided to conduct the "Aani Car Festival" with "Aadal Padal programme" on 30.06.2015. In this connection, a representation was given on 22.06.2015 to the respondent police, with a request to grant permission to conduct "Adal Padal Programme" on 30.06.2015, 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.

<https://hcservices.ecourts.gov.in/hcservices/>

4.Mr.M.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. The only objection made by the learned Additional Government Pleader is that already permission has given for conducting drama and therefore, it is difficult to give police protection to conduct Aadal Padal programme on the same day.

6. In view of the above, this Court is of the opinion that the same cannot be a ground to deny the permission. It is for the respondent to give adequate protection as given to conduct both programmes, considering the necessity and requirements of protection.

7. 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 respondent, this court is of the view that necessary permission shall be granted to the petitioner and his villagers to conduct "Aadal Padal programme" in connection with the temple festival of Arulmigu Sri Meenakshi Chockanathar Kovil at Muraiyur Village, Thiruppathur Taluk, Sivagangai District.

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

(a) The cultural programme in connection with temple Festival at Arulmigu Sri Meenakshi Chockanathar Kovil at Muraiyur Village, Thiruppathur Taluk, Sivagangai District be held on 30.06.2015 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 respondent is directed to issue necessary permission, incorporating the above conditions.

No costs.

Sd/-

Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar



To

1.The Inspector of Police,
Sathurvedhamangalam Police Station,
Sivagangai District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.M.S.Jeyakarthick,Advocate SR.No.34450

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