



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.06.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P(MD)No.10781 of 2015

WEB COPY

S.Pandidurai

... Petitioner

Vs.

The Inspector of Police,
S.S.Kottai Police Station,
Thiruppathur Taluk,
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 to conduct "Aadal Paadal (Dance Programme)" on 4.7.2015, 8.7.2015 and 11.07.2015 at about night 6.30 p.m to 10.00 p.m three days to celebrate the festival in "Arulmigu Santhiveeran Temple Aani Urchava Festival" which is situated in Mallakottai Village, Thiruppathur Taluk, Sivagangai District and consequently give adequate police protection to the festival and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.J.Jeyakumaran
For Respondent : Mr.M.Murugan
Government Advocate

ORDER

This writ petition has been filed seeking for the issuance of Writ of Mandamus, directing the respondent to grant permission to conduct "Aadal Paadal (Dance Programme)" on 04.07.2015, 08.07.2015 and 11.07.2015 at about night 6.30 p.m to 10.00 p.m three days to celebrate the festival in "Arulmigu Santhiveeran Temple Aani Urchava Festival" which is situated in Mallakottai Village, Thiruppathur Taluk, Sivagangai District and consequently give adequate police protection to the festival .

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

3.Learned counsel for the petitioner would submit that the petitioner is the Periyaambalakarar of "Arulmigu Santhiveeran Temple Aani Urchava Festival" which is situated in Mallakottai 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 village temple festival, with "Aadal Padal programme" on 04.07.2015, 8.7.2015 and 11.07.2015. In this connection, a representation was given on 26.6.2015 to the respondent police, with a request to grant permission to conduct "Aadal Padal Programme" on 04.07.2015, 8.7.2015 and 11.07.2015 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.M.Murugan, learned Government Advocate appearing for the respondent, on instructions, would submit that the permission sought for by the petitioner may be granted for conducting festival for two days i.e on 04.07.2015 and 08.07.2015 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 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 Santhiveeran Temple Aani Urchava Festival" which is situated in Mallakottai Village, Thiruppathur Taluk, Sivagangai District.

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

(a)The cultural programme in connection with temple Festival of "Arulmigu Santhiveeran Temple Aani Urchava Festival"which is situated in Mallakottai Village, Thiruppathur Taluk, Sivagangai District be held on 04.07.2015amd 08.07.215 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(Per.Admn.)

/True copy/

Sub Assistant Registrar

To

The Inspector of Police,

S.S.Kottai Police Station,Thiruppathur Taluk,Sivagangai District.

+1cc to Mr.J.Jeyakumaran,Advocate SR.No.34850

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