



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2015

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Writ Petition(MD)No.11053 of 2015

A.Selvaraj(President of Vizha Kuzhu)

... Petitioner

Vs

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

... Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order in Na.Ka.No.63/Kaa Aa/Nagar West/Dindigul/2015 passed by the second respondent, dated 30.06.2015 and quash the same and consequently directing the respondents herein to grant permission and adequate police protection for conducting the Aadalum Padalum function at Ayangulam, Palani Road, Dindigul, Dindigul District on the eve of Arulmigu Sri Kalamman temple festival on 08.07.2015.

For Petitioner : Mr.D.Selvaraj

For Respondents : Mr.M.Murugan

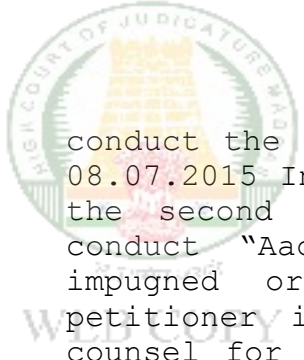
Government Advocate

ORDER

This Writ Petition has been filed seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order in Na.Ka.No.63/Kaa Aa/Nagar West/Dindigul/2015 passed by the second respondent, dated 30.06.2015 and quash the same and consequently directing the respondents herein to grant permission and adequate police protection for conducting the Aadalum Padalum function at Ayangulam, Palani Road, Dindigul, Dindigul District on the eve of Arulmigu Sri Kalamman temple festival on 08.07.2015.

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

3. Learned counsel for the petitioner would submit that the petitioner is the resident of Ayangulam Village and the President of the Vizha Kuzhu of Ayangulam Arulmigu Sri Kalamman Thirukoil, Palani Road, Dindigul and every year, the Villagers use to celebrate festival in the above said temple and this year also, the villagers jointly decided to



conduct the village temple festival, with the Aadalum Padalum function on 08.07.2015. In this connection, a representation was given on 25.06.2015 to the second respondent police, with a request to grant permission to conduct "Aadalum Padalum function. The second respondent has passed impugned order rejecting the petitioner's request 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. Considering the facts and circumstances of the case, the impugned order is set aside and the Writ Petition is allowed and the petitioner is permitted to conduct "Aadalum Padalum function in connection with the temple festival of Ayangulam Arulmigu Sri Kaliyamman Thirukoil, Palani Road, Dindigul however, with the following conditions:-

(a) The cultural programme in connection with temple Festival at Ayangulam Arulmigu Sri Kaliyamman Thirukoil, Palani Road, Dindigul , be held on 08.07.2015 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. Consequently,

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar



To

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

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

+lcc to M/S.D.Selvaraj, Advocate in SR.No 35553

+lcc to Special Government Pleader in SR.No. 35694.

TS/06.07.2015/3P -5C

W.P (MD) No.11053 of 2015

02.07.2015