



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P (MD) No.11337 of 2015

G.John Bosco

... Petitioner

Vs.

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

2.The Inspector of Police,
Sankaralingapuram Police Station,
Vilathikulam Taluk,
Tuticorin District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, praying a direction to the respondents to grant permission to perform the dance programme 'Aadal Padal' from 06.00 p.m. To 10.30 p.m. at Saint Sahaya Annai Church July Festival, situate at Sankaralingapuram, Vilathikulam Taluk, Tuticorin District scheduled to be held on 19.07.2015 and to provide adequate police protection.

For Petitioner : Mr.S.Bharathi

For Respondents : Mr.M.Murugan

Government Advocate

O R D E R

This Petition has been filed for the issuance of Writ of Mandamus, praying a direction to the respondents to grant permission to perform the dance programme 'Aadal Padal' from 06.00 p.m. To 10.30 p.m. at Saint Sahaya Annai Church July Festival, situate at



Sankaralingapuram, Vilathikulam Taluk, Tuticorin District scheduled to be held on 19.07.2015 and to provide adequate police protection.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the State and perused the records.

3. Learned counsel for the petitioner would submit that the petitioner is the resident of Sankaralingapuram, Vilathikulam Taluk, Tuticorin District and every year Sahaya Annai festival is being conducted by the villagers and this year also, the villagers jointly decided to conduct the Sahaya Annai festival, with "Aadal Padal programme" on 19.07.2015. In this connection, a representation was given on 26.06.2015 to the respondent police, with a request to grant permission to conduct "Adal Padal Programme" on 19.07.2015, 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 Sahaya Annai festival is celebrated in a peaceful manner by the villagers, there will be no untoward incident by the people of the village.

4. The only objection raised by the learned Government Advocate is that the place chosen by the petitioner is the disputed one and there are proceedings culminated by the order of this court to that effect. The learned Government Advocate further submitted that the petitioner may chose an un-objectionable place.

5. Considering the same, this Writ Petition is disposed of with a direction to the petitioner to choose an un-objectionable place on the part of the respondents thereafter, the respondent will have to give proper permission and protection to conduct the 'Aadal Padal' programme in connection with July Festival of Saint Sahaya Annai Church, situated at Sankaralingapuram, Vilathikulam Taluk, Tuticorin District subject to the following conditions:

(a) The cultural programme in connection with July Festival of Saint Sahaya Annai Church, situated at Sankaralingapuram, Vilathikulam Taluk, Tuticorin District, be held on 19.07.2015 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.

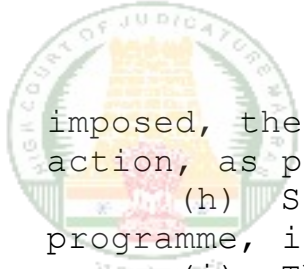
(c) Double meaning songs should not be played so as to spoil the minds of students and youths.

(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 <https://hservices.ecourts.gov.in/hservices/> 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.

SD
ASST REGISTRAR -CO

TRUE COPY

SUB ASST REGISTRAR

PJL

To

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

2.The Inspector of Police,
Sankaralingapuram Police Station,
Vilathikulam Taluk,
Tuticorin District.

1CC TO M/S. S. BARATHI,ADV SR: 36698
1CC TO THE SPL GP SR: 36569

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