



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 15.07.2015

CORAM:

THE HONOURABLE Mr.JUSTICE M.M.SUNDRESH

Writ Petition(MD)No.12150 of 2015

Gandhi@Alagappan

... Petitioner

Vs.

The Inspector of Police,
Enam Kulathur Police Station,
Trichy District.

... Respondent

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondent to grant permission and protection for cultural event namely Adalpadal scheduled to be held on 19.07.2015 at night in connection with "Kumbabishegam" in 48th day Mandagapadi in Arulmigu Sri Akiniamman Kovil at Ammapettai Village, Srirengam Taluk, Trichy District.

For Petitioner : Mr.C.K.M.Appaji

For Respondents : Mr.M.Murugan

Government Advocate

O R D E R

Mr.M.Murugan, learned Government Advocate takes notice on behalf of the respondent. By consent, the writ petition is taken up for disposal at the stage of admission.

2. This Writ Petition has been filed seeking for the issuance of Writ of Mandamus, to direct the respondent to grant permission and protection for cultural event namely Adalpadal scheduled to be held on 19.07.2015 at night in connection with "Kumbabishegam" in 48th day Mandagapadi in Arulmigu Sri Akiniamman Kovil at Ammapettai Village, Srirengam Taluk, Trichy District.

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

4. The learned counsel for the petitioner submitted that the petitioner, is the resident of Ammapettai Village, Srirengam Taluk, Trichy District and every 12 year "Kumbabishegam" temple festival is being conducted by the villagers and this year the villagers jointly decided to conduct the "Kumbabishegam" of Arulmigu Sri Akiniamman Kovil at Ammapettai Village, Srirengam Taluk, Trichy District, with "Aadal Padal programme" on 19.07.2015. In this connection, a representation was given on 14.07.2015 to the respondent police, with a request to grant permission to conduct "Aadal 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 temple festival is celebrated in a peaceful manner by the villagers, there will be no untoward incident by



the people of the village.

5. 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 with stringent conditions for maintaining law and order and also to avoid any untoward incident during performance of such programme.

6. 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 "Kumbabishegam" in 48th day Manadagapadi of Arulmigu Sri Akiniamman Kovil at Ammapettai Village, Srirengam Taluk, Trichy District.

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

(a) The cultural programme in connection with the "Kumbabishegam" temple Festival of Arulmigu Sri Akiniamman Kovil at Ammapettai Village, Srirengam Taluk, Trichy 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 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

ASST REGISTRAR (CRL SIDE)

TRUE COPY

SUB ASST REGISTRAR

PJL

To

The Inspector of Police,

Enam Kulathur Police Station, Trichy District.

1CC TO MR. CKM. APPAJI, ADV SR: 38633