



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P(MD)No.12408 of 2015

J.Vijaya Baskaran

... Petitioner

Vs.

The Inspector of Police,
Salaigramam Police Station,
Ilaiyangudi Taluk,
Sivagangai District.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order of rejection by the respondent dated 08.07.2015 and quash the same and consequently direct the respondent to grant police permission and protection to stage of Adal Padal cultural program in Annual Festival of the Arulmigu Sri Santhiyakappar Temple, Sooranam, Ilaiyangudi Taluk, Sivagangai District on the night of 25.07.2015 (between 7 p.m. To 11 p.m.) or any other subsequent date.

For Petitioner : Mr.V.K.Saravanan

For Respondent : Mr.M.Murugan

Government Advocate

ORDER

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

2. This writ petition has been filed seeking for the issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order of rejection by the respondent dated 08.07.2015 and quash the same and consequently direct the respondent to grant police permission and protection to stage of Adal Padal cultural program in Annual Festival of the Arulmigu Sri Santhiyakappar Temple, Sooranam, Ilaiyangudi Taluk, Sivagangai District on the night of 25.07.2015 (between 7 p.m. To 11 p.m.) or any other subsequent date.

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

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

4. Learned counsel for the petitioner would submit that the petitioner is the resident of Sooranam, Ilaiyangudi 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 25.07.2015. In this connection, a representation was given on 08.07.2015 to the respondent police, with a request to grant permission to conduct "Aadal Padal Programme". The 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.

5. The only objection raised is that permission if granted likely would lead to law and order problem. It is for the respondent to impose any condition to maintain law and order problem. It is not as if there was any prior untoward occurrence in the conduct of the programme.

6. Accordingly, the impugned order is set aside and the writ petition is allowed and the petitioner is permitted to conduct 'Aadal Padal programme' in connection with the temple festival of Arulmigu Sri Santhiyakappar Temple, Sooranam, Ilaiyangudi Taluk, Sivagangai District with the following conditions:-

(a) The cultural programme in connection with temple Festival of Arulmigu Sri Santhiyakappar Temple, Sooranam, Ilaiyangudi Taluk, Sivagangai District, be held on **25.07.2015** 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/-

Assistant Registrar(R)

\\True copy\\



To

The Inspector of Police,
Salaigramam Police Station,
Ilaiyangudi Taluk,
Sivagangai District.

+1cc to Mr.V.K.Saravanan, Advocate SR.No.39688
+1cc to The Spl.Govt.Pleader Sr.No.40060

akm/22.07.15 /3p-4c/

W.P (MD) No.12408 of 2015
21.07.2015