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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:21.07.2015

CORAM:
THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P(MD)No.12411 of 2015

V.Palanichamy ...Petitioner

Vs.

1.The Superintendent of Police,
Sivagangai District.

2.The Inspector of Police,
S.C.Mangalam Police Station,
Thirupathur Taluk,
Sivagangai District. ...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents to give police protection to conduct cultural programe (music and dance) on 28.07.2015 during the temple Festival of Sri Vadakku Vasal Selvi Amman Kovil situated at A.Kalapoor Village, Thirupathur Taluk, Sivagangai District, by considering the representation of the petitioner dated 13.07.2015.

For Petitioner : Mr.J.Anandkumar

For Respondents : Mr. M.Murugan
Government Advocate

O R D E R

Mr.M.Murugan, learned Government Advocate takes notice on behalf of the respondents. 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, directing the respondents to give police protection to conduct cultural programe (music and dance) on 28.07.2015 during the temple Festival of Sri Vadakku Vasal Selvi Amman Kovil situated at A.Kalapoor Village, Thirupathur Taluk, Sivagangai District, by considering the representation of the petitioner dated 13.07.2015.

3. Learned counsel for the petitioner would submit that the petitioner is the resident of A.Kalapoor Village, Thirupathur Taluk, Sivagangai District and every year temple festival is being

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conducted by the villagers and this year also, the villagers jointly decided to conduct the village temple festival, with "Aadal Padal programme" on 28.07.2015. In this connection, a representation was given on 13.07.2015 to the respondent police, with a request to grant permission to conduct "Adal Padal Programme" on 28.07.2015, 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.

4. Mr. M.Murugan, learned Government Advocate appearing for the respondents, 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.

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 respondents, 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 Sri Vadakku Vasal Selvi Amman Kovil situated at A.Kalapoor Village, Thirupathur Taluk, Sivagangai District.

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

(a) The cultural programme in connection with the temple Festival of Sri Vadakku Vasal Selvi Amman Kovil situated at A.Kalapoor Village, Thirupathur Taluk, Sivagangai District, be held on 28.07.2015 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

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(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.

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Sd/-
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

PJL

To

1.The Superintendent of Police,
Sivagangai District.

2.The Inspector of Police,
S.C.Mangalam Police Station,
Thirupathur Taluk,
Sivagangai District.

+1CC TO MR.J.ANANDKUMAR, ADVOCATE IN SR NO.40081

+1CC TO SPECIAL GOVERNMENT PLEADAER IN SR NO.40059

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