

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 22.07.2015**

WEB COPY

**CORAM:****THE HONOURABLE MR. JUSTICE M.M. SUNDRESH****W.P(MD) No. 12672 of 2015**

C.Saravanan

... Petitioner

Vs.

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

2. The Sub-Inspector of Police,  
Thiruppathur Town Police Station,  
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 relating to the impugned order issued by the 2nd respondent dated 18.07.15 and quash the same as illegal and consequentially direct the 2nd respondent to grant permission to the temple festival for conducting Aadal Padal Kalai Nigalchi at the evening hours on 14.08.2015 with necessary police protection in Sri Raja Kali Amman Temple at Chettiya Theru, Thiruppathur, Sivagangai District.

For Petitioner : Mr.S.Kameswaran

For Respondents : Mr.M.Murugan

Government Advocate

**ORDER**

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 Certiorarified Mandamus, calling for the records relating to the impugned order issued by the 2nd respondent dated 18.07.2015 and quash the same as illegal and consequentially direct the 2nd respondent to grant permission to the temple festival for conducting Aadal Padal Kalai Nigalchi at the evening hours on 14.08.2015 with necessary police protection at Sri Raja Kali Amman Temple at Chettiya Theru, Thiruppathur, Sivagangai 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 request seeking to conduct Aadal Padal cultural programme in



connection with the temple festival of Sri Raja Kali Amman Temple at Chettiya Theru, Thiruppathur, Sivagangai District was rejected on the ground that the place selected is situated is not convenient as it is crowded and surrounded by religious places like Church, Pallivaasal and Sivan temple. The learned Government Advocate submitted that the proposed programme will cause hardship to the general public, because of the location.

5. In view of the objection raised by the learned Government Advocate, the petitioner cannot be permitted to have the cultural programme in the place already selected. However, if the petitioner selects any other unobjectionable place to the satisfaction of the second respondent, the second respondent is to give proper permission for the conduct of the programme on 14.08.2015.

6. Accordingly, the impugned order is set aside and the writ petition is allowed, if the petitioner is satisfied the condition as stated supra, the petitioner is permitted to conduct "Adal Padal Programme" in connection with the temple festival of Sri Raja Kali Amman Temple at Chettiya Theru, Thiruppathur, Sivagangai District, with the following conditions and;

(a) The cultural programme in connection with temple Festival of Sri Raja Kali Amman Temple at Chettiya Theru, Thiruppathur, Sivagangai District, be held on **14.08.2015** 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.

Sd/-

Assistant Registrar (Per.Admn.)

\\True copy\\

Sub Assistant Registrar



To

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

2.The Sub-Inspector of Police,  
Thiruppathur Town Police Station,  
Sivagangai District.

+1cc to Mr.S.Kameswaran, Advocate Sr.No.40850

akm/27.07.15 /2p-4c/

**W.P(MD)No. 12672 of 2015**  
**22.07.2015**