



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P(MD)No.12734 of 2015

A.Subramanian

... Petitioner

Vs.

1.The Superintendent of Police,
Pudukkottai District.

2.The Sub Inspector of Police,
K.Puduppatty Police Station,
Pudukkottai District.

... Respondents

Prayer: Petition filed under Article 236 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the rejection order of the 2nd respondent on 20.07.2015 and quash the same and consequently direct the respondents to grant permission and protection for cultural program perform by Aranthai Cini Agalya Dance Group in connection with Puravi Eduppu Thiruvizha scheduled to be held on 29.07.2015 at Arulmigu Sri Adimanangatha Ayyanar Thirukovil at K.Rayapura Thirumayam Taluk Pudukkottai District.

For Petitioner : Mr.R.Karthic Rajan

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, 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 rejection order of the 2nd respondent on 20.07.2015 and quash the same and consequently direct the respondents to grant permission and protection for cultural program perform by Aranthai Cini Agalya Dance Group in connection with Puravi Eduppu Thiruvizha scheduled to be held on 29.07.2015 at Arulmigu Sri Adimanangatha Ayyanar Thirukovil at K.Rayapura Thirumayam Taluk, Pudukkottai District.



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

4. Learned counsel for the petitioner would submit that the petitioner is the resident of K.Rayapura Thirumayam Taluk, Pudukkottai 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 cultural programme by "Aranthai Cini Agalya Dance Group" on 29.07.2015. In this connection, a representation was given on 20.07.2015 to the second respondent police, with a request to grant permission to conduct "Cultural 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 cultural program to be performed by "Aranthai Cini Agalya Dance Group" in connection with Puravi Eduppu Thiruvizha of Arulmigu Sri Adimanangatha Ayyanar Thirukovil at K.Rayapura Thirumayam Taluk, Pudukkottai District with the following conditions:-

(a) The cultural programme in connection with temple Festival of Arulmigu Sri Adimanangatha Ayyanar Thirukovil at K.Rayapura Thirumayam Taluk, Pudukkottai District, be held on 29.07.2015 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

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(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 -AS

TRUE COPY

SUB ASST REGISTRAR

PJL

To

1. The Superintendent of Police,
Pudukkottai District.

2. The Sub Inspector of Police,
K. Puduppatty Police Station,
Pudukkottai District.

1CC TO MR. R. KARTHICK RAJAN, ADV SR: 40742

1CC TO THE SPL GP SR: 41135

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W.P (MD) No. 12734 of 2015
23.07.2015