

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 23.07.2015**

WEB COPY

CORAM:**THE HONOURABLE MR. JUSTICE M.M. SUNDRESH****W.P(MD)No.12796 of 2015**

P.Deeparani

... Petitioner

Vs.

The Inspector of Police,
Kodikkulam Police Station,
Madurai District.

... Respondent

Prayer: Petition filed under Article 236 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondent to grant permission and necessary protection to perform the cultural program i.e. Adal Paadal program on 03.08.2015 at about 07.00pm at Melmaruvathur Aathi Parasakthi Aanameega Makkal Thondu Iyakkams, AADI Festival in Kodikkulam Village, Usilampatti Taluk, Madurai District by considering the petitioners representation dated 13.7.2015.

For Petitioner : Mr.M.Salaisamy

For Respondent : 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 respondent to grant permission and necessary protection to perform the cultural program i.e. Adal Paadal program on 03.08.2015 at about 07.00pm at Melmaruvathur Aathi Parasakthi Aanameega Makkal Thondu Iyakkams, Aadi Festival in Kodikkulam Village, Usilampatti Taluk, Madurai District by considering the petitioners representation dated 13.07.2015.

3. Learned counsel for the petitioner would submit that the petitioner is the resident of Kodikkulam Village, Usilampatti Taluk, Madurai District and every year Aadi festival is being conducted by the villagers and this year also, the villagers jointly decided to conduct the Aadi festival with Cultural programme on 03.08.2015. In this connection, a representation was given on 13.07.2015 to the respondent police, with a request to grant permission to conduct "Cultural Programme" on 03.08.2015, 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 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 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.

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 respondent, this court is of the view that necessary permission shall be granted to the petitioner and her villagers to conduct "Cultural Programme" in connection with the Aadi festival of Melmaruvathur Aathi Parasakthi Aanameega Makkal Thondu Iyakkams at Kodikkulam Village, Usilampatti Taluk, Madurai District.

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

(a) The cultural programme in connection with the Aadi Festival of Melmaruvathur Aathi Parasakthi Aanameega Makkal Thondu Iyakkams at Kodikkulam Village, Usilampatti Taluk, Madurai District, be held on **03.08.2015** 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 respondent is directed to issue necessary permission, incorporating the above conditions.

Sd/-

Assistant Registrar(R)

\\True copy\\

Sub Assistant Registrar

To

The Inspector of Police, Kodikkulam Police Station, Madurai District.

+1cc to Mr.M.Solaisamy, Advocate Sr.No.40671

+1cc to The Special Government Pleader Sr.No.41126

<https://hcservices.ecourts.gov.in/hcservices/> /2p-4c/

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