



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:23.07.2015

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

W.P (MD) No.12811 of 2015

Chellaiah

... Petitioner

Vs.

The Inspector of Police,
Sathankulam Police Station,
Thoothukudi
District.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondent to grant permission and protection for cultural event namely AdalPadal scheduled to be held on 31.07.2015 at night in connection with Kodai Thiruvizha in Arulmigu Sri Sappani Madasamy and Sudalai Madasamy Kovil at Sathankulam Village and Taluk, Thoothukudi District.

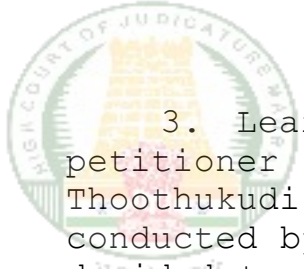
For Petitioner
For Respondent

: Mr.V.Ramalingam
: 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 protection for cultural event namely AdalPadal scheduled to be held on 31.07.2015 at night in connection with Kodai Thiruvizha in Arulmigu Sri Sappani Madasamy and Sudalai Madasamy Kovil at Sathankulam Village and Taluk, Thoothukudi District.



3. Learned counsel for the petitioner would submit that the petitioner is the resident of Sathankulam Village and Taluk, Thoothukudi District and every year Kodai Thiruvizha is being conducted by the villagers and this year also, the villagers jointly decided to conduct the Kodai Thiruvizha with Cultural programme on 31.07.2015. In this connection, a representation was given on 17.07.2015 to the respondent police, with a request to grant permission to conduct "Aadal Padal Cultural Programme" on 31.07.2015, 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 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 his villagers to conduct "Aadal Padal Cultural Programme" in connection with the Kodai Thiruvizha of Arulmigu Sri Sappani Madasamy and Sudalai Madasamy Kovil at Sathankulam Village and Taluk, Thoothukudi District.

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

(a) The Cultural Programme in connection with the Kodai Thiruvizha of Arulmigu Sri Sappani Madasamy and Sudalai Madasamy Kovil at Sathankulam Village and Taluk, Thoothukudi District, be held on 31.07.2015 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 by the court, 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.

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TRUE COPY

SD

ASST REGISTRAR -WRITS

SUB ASST REGISTRAR

PJL

To

The Inspector of Police,
Sathankulam Police Station,
Thoothukudi District.

1CC TO MR. V.RAMALINGAM, ADV SR: 40776

1CC TO THE SPL GP SR: 41124

DM 27 7 15 - 3P 4C

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