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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2015

CORAM :

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Writ Petition (MD) No.12914 of 2015

M.Mariappan

... Petitioner

Vs.

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

2.The Sub Inspector of Police,
Alangulam Police Station,
Virudhunagar District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 2nd respondent herein to grant permission and to provide police protection to conduct the Aadalum Padalum dance Programme on 30.07.2015 from 09.00 p.m. to 12.00 p.m. in pursuant to the Pongal Festial of Arulmigu Sree Rajakaliamman Thirukkoil situated at Rajapatti Village Alangulam Post Sivakasi Taluk Virudhunagar District by considering the Petitioner's representation dated 16.07.2015.

For Petitioner
For Respondents

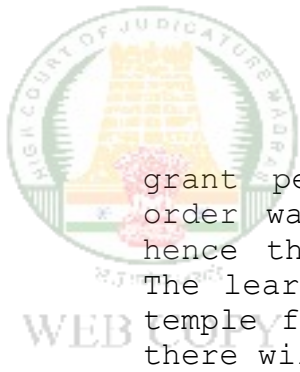
: Mr.P.Kalaiyarasi Bharathi
: Mr.M.Murugan,
Government Advocate.

ORDER

This writ petition has been filed seeking for the issuance of Writ of Mandamus, directing the second respondent herein to grant permission and to provide police protection to conduct the Aadalum Padalum dance Programme on 30.07.2015 from 09.00 p.m. to 12.00 p.m. in pursuant to the Pongal Festial of Arulmigu Sree Rajakaliamman Thirukkoil situated at Rajapatti Village Alangulam Post Sivakasi Taluk Virudhunagar District by considering the Petitioner's representation dated 16.07.2015.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3.Learned counsel for the petitioner would submit that the petitioner is the member of the Vizha committee of Arulmigu Sree Rajakaliamman Thirukkoil situated at Rajapatti Village Alangulam Post Sivakasi Taluk Virudhunagar 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 "Aadal Paadal programme" on 30.07.2015. In this connection, a representation was given on 16.07.2015 to the respondent police, with a request to



grant permission to conduct "Aadal Paadal Programme", 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 'Aadal Paadal programme' in connection with the temple festival of Arulmigu Sree Rajakaliyamman Thirukkoil situated at Rajapatti Village Alangulam Post Sivakasi Taluk Virudhunagar District.

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

(a)The cultural programme in connection with temple Festival at Arulmigu Sree Rajakaliyamman Thirukkoil situated at Rajapatti Village Alangulam Post Sivakasi Taluk Virudhunagar District be held on 30.07.2015 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;

(h)Similarly, the police is entitled to stop the dance programme, if it exceeds beyond the permitted time; and

(i)The second respondent is directed to issue necessary permission, incorporating the above conditions.

No costs.

Sd/-

Assistant Registrar(RTI)

\\True copy\\



To

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

2.The Sub Inspector of Police,
Alangulam Police Station,
Virudhunagar District.

+lcc to Mr.P.Kalaiyarasi, Advocate Sr.No.41089

+lcc to The Special Government Pleader Sr.No.41611

akm/28.07.15 /3p-5c/

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