



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 24.07.2015

Coram

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

WP(MD)No.12959 of 2015

R.Muthaiya

.. Petitioner

Vs.

The Inspector of Police,
Koodakovil Police Station,
Thiruparankundram,
Madurai - 22.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to give requisite protection and permission to conduct the Cultural Programme on 29.07.2015 at A/m. Sri Mariyamman Kovil, Parapathi Village, Thirupparankundram, Madurai District on such terms and conditions as per law as may be just and necessary on the facts and circumstances of the case.

For Petitioner : Mr.S.A.Ajmal Khan

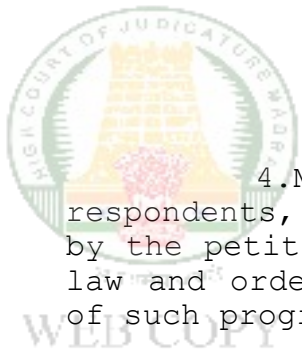
For Respondent : Mr.M.Murugan
Govt.Advocate

ORDER

This writ petition has been filed seeking for the issuance of Writ of Mandamus, directing the respondent to give requisite protection and permission to conduct the Cultural Programme on 29.07.2015 at A/m. Sri Mariyamman Kovil, Parapathi Village, Thirupparankundram, Madurai District.

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 A/m. Sri Mariyamman Kovil, Parapathi Village, Thirupparankundram, Madurai District. This year also, the villagers jointly decided to conduct the village temple festival, with "Aadal Paadal programme" on 29.07.2015. In this connection, a representation was given on 22.07.2015 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 A/m. Sri Mariyamman Kovil, Parapathi Village, Thirupparankundram, Madurai District.

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

(a)The cultural programme in connection with temple Festival at A/m. Sri Mariyamman Kovil, Parapathi Village, Thirupparankundram, Madurai District To 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 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 respondent is directed to issue necessary permission, incorporating the above conditions.

No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To
The Inspector of Police, Koodakovil Police Station,
Thirupparankundra, Madurai - 22.

+1cc to M/S.S.A.Ajmal Khan, Advocate in SR.No 41409

TS/24.07.2015/2P - 3C