



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:31.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P(MD)No.13390 of 2015

Karuppaiah

... Petitioner

Vs.

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

2.The Inspector of Police,
Nerkuppai Police Station,
Sivagangai District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the 2nd respondent to give permission with protection to conduct the cultural function Aadal - Paadal at public stage nearby Ramarkoodam, Nerkuppai, Thiruppathur in connection with Aadi Friday Abishegam festival of Arulmigu Sree Chinnaiah Swami Temple at Mela Nerkuppai Navanikanmai, Thiruppathur Taluk, Sivagangai District scheduled on 14.08.2015 based on the petitioners representation dated 15.07.2015.

For Petitioner : Mr.S.Muthalraj
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, 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 2nd respondent to give permission with protection to conduct the cultural function Aadal - Paadal at public stage nearby Ramarkoodam, Nerkuppai, Thiruppathur in connection with Aadi Friday Abishegam festival of Arulmigu Sree Chinnaiah Swami Temple



at Mela Nerkuppai Navanikanmai, Thiruppathur Taluk, Sivagangai District scheduled on 14.08.2015 based on the petitioners representation dated 15.07.2015.

3. Learned counsel for the petitioner would submit that the petitioner is the resident of Mela Nerkuppai Navanikanmai, Thiruppathur Taluk, Sivagangai District and every year temple festival is being conducted by the villagers and this year also, the villagers jointly decided to conduct the festival, with Cultural programme on 14.08.2015. In this connection, a representation was given on 15.07.2015 to the respondents police, with a request to grant permission to conduct "Cultural Programme" on 14.08.2015, however no order was passed by the second respondent 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 Padal Cultural Programme" in connection with the Aadi Friday Abishegam festival of Arulmigu Sree Chinnaiah Swami Temple at Mela Nerkuppai Navanikanmai, Thiruppathur Taluk, Sivagangai District.

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

(a) The cultural programme in connection with the Aadi Friday Abishegam festival of Arulmigu Sree Chinnaiah Swami Temple at Mela Nerkuppai Navanikanmai, Thiruppathur Taluk, Sivagangai District, be held on 14.08.2015 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.

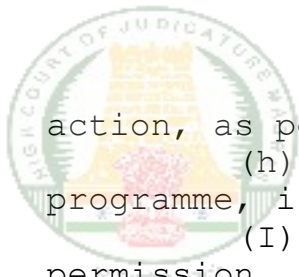
(d) No dance or songs, touching upon any political party or religion or community or caste be played.

(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.

<https://mcservices.ecourts.gov.in/mcservices/>

(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.

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No costs.

TRUE COPY

Sd
ASST REGISTRAR

SUB ASST REGISTRAR

PJL

To

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

2.The Inspector of Police,
Nerkuppai Police Station,
Sivagangai District.

1cc to MR. Na.PALANIYANDI, ADV SR: 43145

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W.P (MD) No. 13390 of 2015

31.07.2015