



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P(MD)No.13455 of 2015

D.Karnan

... Petitioner

Vs.

The Inspector of Police,
C2, Subramaniapuram Police Station,
Madurai 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 11.08.2015 at night in connection with "Aadi Festival" at Arulmigu Sri Vinayaga Perumal Sri Kaliyamman, Ayyanar Kovil at Muthupatti, Madurai.

For Petitioner : Mr.S.Bharathy Kannan

For respondent : 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 respondent to grant permission and protection for cultural event namely Adalpadal scheduled to be held on 11.08.2015 at night in connection with "Aadi Festival" of Arulmigu Sri Vinayaga Perumal Sri Kaliyamman, Ayyanar Kovil at Muthupatti, Madurai.

3. Learned counsel for the petitioner would submit that the petitioner is the resident of Muthupatti, Madurai 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 11.08.2015. In this connection, a representation was given on 21.07.2015 to the respondent police, with a request to grant permission to conduct "Cultural Programme" on 11.08.2015, however no order was passed by the 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.

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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 "Aadi Festival" of Arulmigu Sri Vinayaga Perumal Sri Kaliyamman, Ayyanar Kovil at Muthupatti, Madurai.

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

(a) The cultural programme in connection with the "Aadi Festival" of Arulmigu Sri Vinayaga Perumal Sri Kaliyamman, Ayyanar Kovil at Muthupatti, Madurai, be held on **11.08.2015** 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.

No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To
The Inspector of Police, C2, Subramaniapuram Police Station,
Madurai District.

+lcc to M/S.R.Ragavendran, Advocate in SR.No 42639

+lcc to Special Government Pleader in SR.No. 43154.

TS/07.08.2015/2P - 4C KBM/SAR -II