



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2015

CORAM:

THE HONOURABLE Ms.JUSTICE R.MALA

W.P(MD)No.14256 of 2015

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Esakkimuthu

... Petitioner

Vs.

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

2.The Inspector of Police, Thisaiyanvilai Police Station,
Tirunelveli District. ... Respondents

Prayer: Writ 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 'Kodai Vizha' in Arulmigu Sri Nagathevathai Sithar Peeda Kaliyamman Kovil at Upakara Mathapuram, Kumarapuram Village, Nanguneri Taluk, Tirunelveli District.

For Petitioner : Mr.P.Muthusamy

For Respondents : Mr.N.Manoharan
Spl.Govt.Pleader

O R D E R

The Petitioner has come forward with this Writ Petition for issuance of a 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 'Kodai Vizha' in Arulmigu Sri Nagathevathai Sithar Peeda Kaliyamman Kovil at Upakara Mathapuram, Kumarapuram Village, Nanguneri Taluk, Tirunelveli District.

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

3.The learned counsel appearing for the Petitioner would submit that cultural dance programme is being conducted by the villagers during the above said festival period. In this connection, a representation was given to the respondent, however, the same was not considered by the respondents so far and hence, the Petitioner is before this Court with this Writ Petition. The learned counsel appearing for the Petitioner further submitted that the aforesaid festival is celebrated in a peaceful manner by the villagers, there will be no untoward incident by the people of the village.

4. The learned Special Government Pleader 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. Accordingly, the Writ Petition is disposed of with the following directions:

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(a) The cultural dance programme in connection with ''Kodai Vizha'' in Arulmigu Sri Nagathevathai Sithar Peeda Kaliyamman Kovil at Upakara Mathapuram, Kumarapuram Village, Nanguneri Taluk, Tirunelveli District, be held on 11.08.2015 between 6.00 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 the youth;

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

(e) No flex boards in support of any political party or religious leader be erected.

(f) The function should not affect either religious or communal harmony and shall be conducted without any discrimination based on case.

(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 empowered to stop the dance programme, if it exceeds beyond the permitted time.

(i) The participants of the programme shall not intake any kind of toxic substance or liquor during the programme;

(j) If there is any untoward incident took place, the village people and the organizers of the programme be made responsible for the same;

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

No order as to costs.

Sd/-

Assistant Registrar-CO

/True copy/

Sub Assistant Registrar

pm

To

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

2. The Inspector of Police,
Thisaiyanvilai Police Station, Tirunelveli District.

1CC TO MR. P. MUTHUSAMY, ADV SR: 44993