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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.8.2015

CORAM:
THE HONOURABLE Ms.JUSTICE R.MALA

W.P.(MD)No.14679 of 2015

Vinayagamoorthy ... Petitioner

Vs.

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

2.The Inspector of Police,
Nagudi Police Station,
Pudukkottai District. ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 2nd respondent herein to grant permission and to provide police protection to conduct the "Aadalum Paadalum" dance programme on 15.8.2015 from 8.00 pm to 12 pm in pursuant to the "Aadi Perunthiruvizha" of Sree Mangalanayagi Amman Thirukoil situated at Mangalanadu Village, Aranthangi Taluk, Pudukkottai District, by considering the petitioner's representation dated 12.8.2015.

For Petitioner : Mr.D.Rameshkumar
For Respondents : Mr.N.Manoharan, Spl.G.P.

O R D E R

This Writ Petition has been filed seeking for the issuance of a Writ of Mandamus, directing the 2nd respondent to to grant permission and to provide police protection to conduct the "Aadalum Paadalum" dance programme on 15.8.2015 from 8.00 pm to 12 pm in pursuant to the "Aadi Perunthiruvizha" of Sree Mangalanayagi Amman Thirukoil situated at Mangalanadu Village, Aranthangi Taluk, Pudukkottai District, by considering the petitioner's representation dated 12.8.2015.

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

3.The learned counsel for the petitioner would submit that the villagers jointly decided to conduct the said temple festival "Aadi Perunthiruvizha" of Sree Mangalanayagi Amman Thirukoil situated at Mangalanadu Village, Aranthangi Taluk, Pudukkottai

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District with "Aadal Padal programme" on 15.8.2015. In this connection, a representation was given to the respondents police, with a request to grant permission to conduct the programme on the above said date, however, the second respondent Police has not considered the request of the petitioner and hence, the petitioner is before this Court with this Writ Petition. The learned counsel for the petitioner further submitted that as the said 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.Having considered the facts and circumstances and the submissions made by the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents, this Court is of the view that necessary permission shall be granted to the petitioner and his Villagers to conduct "Adal Padal programme" / "cultural dance programme" in connection with the above said festival.

6. Accordingly, the Writ Petition is disposed of with the following directions:

(a)The cultural dance programme in connection with "Aadi Perunthiruvizha" of Sree Mangalanayagi Amman Thirukoil be held on 15.8.2015 between 7.30 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;

(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;

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(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 2nd respondent concerned is directed to issue necessary permission, incorporating the above conditions.
No costs.

Sd/-
Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar

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To

The Superintendent of Police,
Pudukkottai District,
Pudukkottai.

2.The Inspector of Police,
Nagudi Police Station,
Pudukkottai District.

+1cc to MR.D.RAMESH KUMAR,ADVOCATE SR NO.46576

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