



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD)No.15524 of 2015

K.Duraiswamy

... Petitioner

Vs.

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

2.The Inspector of Police,
Viralimalai Police Station,
Pudukottai District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents to grant permission to conduct cultural program (Adal Padal) on 29.08.2015 of "Sri Nithiya Kaliyamman Thirukovil" temple situated at Chithirampatti, Meenaveli Village, Iluppur Taluk, Pudukottai District.

For Petitioner : Mr.A.S.Gopala Manikandan

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

O R D E R

This writ petition has been filed seeking for the issuance of Writ of Mandamus, directing the respondents to grant permission to conduct cultural program (Adal Padal) on 29.08.2015 of "Sri Nithiya Kaliyamman Thirukovil" temple situated at Chithirampatti, Meenaveli Village, Iluppur Taluk, Pudukottai District.

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

3.Learned counsel for the petitioner would submit that the petitioner is the Administrator of Sri Nithiya Kaliyamman Thirukovil" temple situated at Chithirampatti, Meenaveli Village, Iluppur Taluk, Pudukottai District and every year temple festival is being conducted by the villagers and this year also, the villagers jointly decided to conduct the village temple festival, with "cultural program (Aadal Padal)" on 29.08.2015. In this connection, a representation was given on 24.08.2015 to the second respondent police, with a request to grant permission to conduct "Aadal Padal Programme" on 29.08.2015, 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. N. Manoharan, 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" in connection with the temple festival of Sri Nithiya Kaliyamman Thirukovil" temple situated at Chithirampatti, Meenaveli Village, Iluppur Taluk, Pudukottai District.

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

(a) The cultural programme in connection with temple Festival at Sri Nithiya Kaliyamman Thirukovil" temple situated at Chithirampatti, Meenaveli Village, Iluppur Taluk, Pudukottai District be held on 29.08.2015 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 second respondent is directed to issue necessary permission, incorporating the above conditions.

No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar



To

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

2.The Inspector of Police,
Viralimalai Police Station,
Pudukottai District.

+1cc to M/S. A.S.Gopala Manikandan, Advocate in SR.No 49371

TS/28.08.2015/3P - 4C KBM/SAR -II

W.P (MD) No.15524 of 2015

27.08.2015