



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.10.2015

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

W.P(MD)No.18693 of 2015

WEB COPY

P.Macharaja

:Petitioner

Vs.

1.The Superintendent of Police,
Theni District, Theni

2.The Inspector of Police,
Periyakulam Vadagarai Police Station,
Theni District.

:Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the Respondents to grant permission and necessary police protection to perform the cultural programme i.e., Dance Programme on 14.10.2015 at 6.00 pm to 10.30 pm in the festive of "Arulmighu Sri Mandhayammankovil", at Keelavadagarai, Deivendrapuram, Periyakulam Taluk, Theni District.

For Petitioner : Mr.V.Manikandan
For Respondents : Mr.N.Manoharan,
Special Government Pleader

O R D E R

Mr.N.Manoharan, learned Special Government Pleader, takes notice for the Respondents. By consent, the Writ Petition itself is taken up for final disposal.

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

3. The present Writ Petition has been filed for issuance of a Writ of Mandamus, directing the Respondents to grant permission and necessary police protection to perform the cultural programme i.e., Dance Programme on 14.10.2015 at 6.00 pm to 10.30 pm in the festive of "Arulmighu Sri Mandhayammankovil", at Keelavadagarai, Deivendrapuram, Periyakulam Taluk, Theni District.

4.The learned counsel appearing for the Petitioner would submit that cultural programme i.e., Dance Programme is being conducted by the villagers during the above said festival period. In this connection, a representation was given to the Respondents, but, 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 would further submit that as the aforesaid festival is celebrated in a peaceful manner by the villagers, there will be no untoward incident by the people of the village.

5. 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 each programme.

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



(a) The cultural programme i.e., Dance Programme in connection with the festival of "Arulmighu Sri Mandhayammankovil", at Keelavadagarai, Deivendrapuram, Periyakulam Taluk, Theni District, be held on 14.10.2015 between 07.00 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 caste 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 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;

(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; and

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

No order as to costs.

Sd/-

Assistant Registrar(Crl.side)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police, Theni District, Theni

2. The Inspector of Police, Periyakulam Vadagarai Police Station, Theni District.

+1cc to M/s.V.Manikandan, Advocate in SR.No.60441

W.P (MD) No.18693 of 2015

Dated:- 13.10.2015

mpk

PBK/DP/SAR-I 13/10/2015 ::2P-4C:: (IT)