



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.03.2015

CORAM:

THE HONOURABLE DR. JUSTICE S.TAMILVANAN

and

THE HONOURABLE MR. JUSTICE V.S.RAVI

W.P. (MD) No.4633 of 2015

and M.P. (MD) No.1 of 2015

M.Easwaran

... Petitioner

Vs.

The Sub Inspector of Police,
Rajathani Police Station,
Theni District.

... Respondent

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the stay of the impugned order of the respondent dated 26.03.2015 and quash the same insofar rejecting the request of the petitioner from performing the cultural activities of "Aadal Paadal" scheduled on 09.04.2015 in the temple festival of Manthai Amman Koil, K.Kamatchipuram, Rajathani Post, Aundipatty Taluk, Theni District and consequently, direct the respondent herein to permit the petitioner to perform Aadal Paadal programme in the said Temple.

For petitioner :M/S.K.APPADURAI

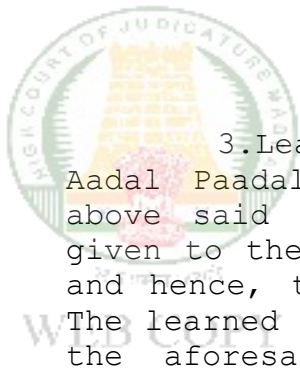
For respondents :Mr. A.K.BASKARA PANDIAN
Government Advocate

O R D E R

(Order of this Court was made by **S.TAMILVANAN,J.**)

This Writ petition has been filed invoking Article 226 of the Constitution of India, seeking an order in the nature of Writ of Certiorarified Mandamus, calling for the records relating to the stay of the impugned order of the respondent dated 26.03.2015 and quash the same insofar rejecting the request of the petitioner from performing "Aadal Paadal" programme on 09.04.2015 in the temple festival in Manthai Amman Koil, K.Kamatchipuram, Rajathani Post, Aundipatty Taluk, Theni District and consequently, direct the respondent herein to permit the petitioner to perform Aadal Paadal programme in the said Temple.

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



3. Learned counsel appearing for the petitioner would submit that Aadal Paadal 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 rejected by the respondent and hence, the petitioner is before this Court with this Writ petition. The learned counsel appearing for the petitioner further submitted 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.

4. Mr. M. Alagathevan, 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 appearing for the petitioner and the learned Special Government Pleader appearing for the respondents, we are of the view that necessary permission shall be granted to the petitioner and his villagers to conduct 'Aadal Paadal' programme in the aforesaid Temple with reasonable conditions.

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

(a) The cultural dance programme 'Aadal Paadal' programme in connection with the temple festival in Manthai Amman Koil, K. Kamatchipuram, Rajathani Post, Aundipatty Taluk, Theni District be held on 09.04.2015 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 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; and

(h) Similarly, the police is empowered 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 order as to costs. Consequently, connected M.P. is closed.

Sd/

Assistant Registrar



To
The Sub Inspector of Police,
Rajathani Police Station,
Theni District.

WEB COPY

+1cc to M/S.K.APPADURAI, Advocate in SR.No. 15853

TS/31.03.2015/2P-3C

W.P. (MD) No.4633 of 2015

30.03.2015