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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 09.04.2015
CORAM:
THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P(MD)No.5233 of 2015

Ramanathan ... Petitioner

Vs.

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

2.The Sub Inspector of Police,
Ponnamaravathi Police Station,
Pudukkottai District. ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the second respondent to give permission with protection to conduct the cultural function Aaadal - Paadal at Umaiyan Karuppu Temple, Kumarapatti public stage in Fullmoon Festival of Arulmigu Umaiyan Karuppu Temple, Kumarapatty, Ponnamaravathi Taluk, Pudukkottai District, Scheduled on 2.5.2015 based on the petitioner's representation dated 30.03.2015 and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.A.Prasanna Rajadurai
for Mr.Muthalraj
For Respondents : Mr.R.Karthikeyan
Addl.Govt.Pleader

O R D E R

This writ petition has been filed seeking for the issuance of Writ of Mandamus, directing the second respondent to give permission with protection to conduct the cultural function Aaadal - Paadal at Umaiyan Karuppu Temple, Kumarapatti public stage in Fullmoon Festival of Arulmigu Umaiyan Karuppu Temple, Kumarapatty, Ponnamaravathi Taluk, Pudukkottai District, Scheduled on 02.05.2015 based on the petitioner's representation dated 30.03.2015.

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

3.Learned counsel for the petitioner would submit that the petitioner is the member of Kumarapatti Village Committee, Pudukkottai, 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 "Aadal Padal programme" on 2.5.2015. In this connection, a representation was given on 30.3.2015 to the respondent police with a request to grant permission to conduct "Adal Padal Programme" on 2.5.2015, however no order was passed by the respondents on the said representation and hence the petitioner is before this Court

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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.R.Karthikeyan, learned Additional 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 Government Advocate 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 Umaiyan Karuppu Temple, Kumarapatti public stage in Fullmoon Festival of Arulmigu Umaiyan Karuppu Temple, Kumarapatty, Ponnamaravathi Taluk,Pudukkottai District.

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

(a)The cultural programme in connection with temple Festival at Umaiyan Karuppu Temple, Kumarapatti public stage in Fullmoon Festival of Arulmigu Umaiyan Karuppu Temple, Kumarapatty, Ponnamaravathi Taluk, Pudukkottai District be held on 2.5.2015 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(AS)

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Sub Assistant Registrar

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To

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

2.The Sub Inspector of Police,
Ponnamaravathi Police Station,
Pudukkottai District.

+1cc to MR.NA. PALANIYANDI, ADVOCATE IN SR NO.18082

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