



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 10.04.2015
CORAM:

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

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W.P (MD) No.5327 of 2015

M.Arul ... Petitioner
Vs.

1.The District Superintendent of Police,
Rajapalayam Town,
Virudhunagar District.

2.The Inspector of Police,
North Police Station,
Rajapalayam Town,
Virudhunagar 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 and protection for "Pongal Festival" which will scheduled to be held on 14.04.2015, 15.04.2015 and 16.04.2015 at Rajapalayam New Street and more particularly "Adal Padal" programme held on 16.04.2015 on the night and pass such further or other orders.

For Petitioner : Mr.V.Muthuvelan

For Respondents : Mr.R.Karthikeyan
Additional Government 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 and protection for "Pongal Festival" which will scheduled to be held on 14.04.2015, 15.04.2015 and 16.04.2015 at Rajapalayam New Street and more particularly "Adal Padal" programme held on 16.04.2015 on the night and pass such further or other orders.

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 Committee-Head of the Festival Committee, and every year, the temple festival of "Chitrai Venkudai Thiruvila" at Rajapalayam, Virudhunagar District, is being conducted by the villagers and this year also, the villagers jointly decided to conduct the village temple festival, with "Adalum Padalum" progandramme on 16.04.2015. In this connection, a representation was given on 03.04.2015 to the respondents, with a request to grant permission to conduct "Adalum Padalum" Programme on 16.04.2015, however no order was passed by the second respondent on the representation 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 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 Additional 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 "Adalum Padalum" programme in connection with the temple festival of "Chitrai Venkudai Thiruvila" at Rajapalayam, Virudhunagar District, however, with the following conditions:-

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

(a) The cultural programme in connection with temple Festival of "Chitrai Venkudai Thiruvila" at Rajapalayam, Virudhunagar District, be held on 16.04.2015 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(Writs)

\\True copy\\

Sub Assistant Registrar

To

1. The District Superintendent of Police, Rajapalayam Town,
Virudhunagar District.

2. The Inspector of Police, North Police Station, Rajapalayam Town,
Virudhunagar District.

+1cc TO THE SPL.GOV.T.PLEADER SR.NO.18550

+1cc TO MR.V.MUTHUVEERAN, ADVOCATE SR.NO.18183

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10.04.2015