

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 23.04.2015****CORAM:****THE HONOURABLE MR.JUSTICE M.M.SUNDRESH****Writ Petition(MD)No.6355 of 2015**

Vijayakumar

... Petitioner

Vs

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

2. The Sub-Inspector of Police,  
G.Vilakku Police Station,  
Theni District.

... Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents herein to grant permission and give necessary police protection to conduct the "Aadalum Padalum" dance programme on 29.04.2015 from 06.30p.m. to 10.00p.m. in pursuant to "Chithirai Festival" of the "Sree Perumalsamy Temple" situated at Thirumalapuram, Andipatti Taluk, Theni District, considering the petitioner's representation dated 16.04.2015.

For Petitioner : Mrs.Lakshmi Gopinathan

For Respondents : Mr.R.Karthikeyan

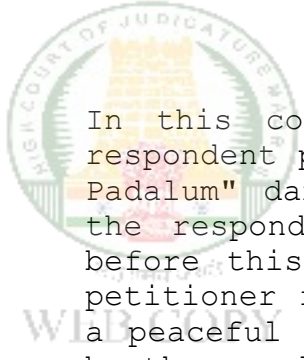
Additional Government Pleader

**ORDER**

This Writ Petition has been filed seeking for the issuance of Writ of Mandamus, directing the respondents to grant permission and police protection to conduct the "Aadalum Padalum" dance programme on 29.04.2015 from 06.30p.m. to 10.00p.m. in pursuant to "Chithirai Festival" of the "Sree Perumalsamy Temple" situated at Thirumalapuram, Andipatti Taluk, Theni District, considering the petitioner's representation dated 16.04.2015.

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 resident of Thirumalapuram village and every year the "Chithirai Festival" of "Sree Perumalsamy Temple" situated at Thirumalapuram, Andipatti Taluk, Theni District is being conducted by the villagers and this year also, the villagers jointly decided to conduct the said Festival, with "Aadalum Padalum" dance programme" on 29.04.2015.



In this connection, a representation was given on 16.04.2015 to the respondent police, with a request to grant permission to conduct "Aadalum Padalum" dance programme" on 29.04.2015, however no order was passed by the respondent 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.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 "Aadalum Padalum" dance programme" in connection with the festival of "Chithirai Festival" of the "Sree Perumalsamy Temple" situated at Thirumalapuram, Andipatti Taluk, Theni District.

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

(a) The cultural programme in connection with "Chithirai Festival" of the "Sree Perumalsamy Temple" situated at Thirumalapuram, Andipatti Taluk, Theni District to be held on 29.04.2015 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 respondent is directed to issue necessary permission, incorporating the above conditions.

No costs.

Sd/-

Assistant Registrar(AS)

/True copy/



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To

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

2. The Sub-Inspector of Police,  
G.Vilakku Police Station,  
Theni District.

+1CC TO M/S.POLAX LEGAL SOLUTIONS,ADVOCATE IN SR NO.21430

**W.P (MD) No. 6355 of 2015**  
**23.04.2015**

**RG.27.04.2015      3P/4C   I.T**