



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Writ Petition (MD) No.6383 of 2015

K.M.Balasubramanian

... Petitioner

Vs

1. The Superintendent of Police,
Pudukkottai District.

2. The Inspector of Police,
K.Puthupatti Police Station,
Thirumayam Taluk,
Pudukkottai District.

... Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order of rejection by the second respondent dated 12.04.2015 and quash the same and consequently directing the respondents to grant police permission and protection to stage of Adal Padal cultural programme in the Annual Festival of Arulmigu Sri Vetri Vinayagar Temple, Kallur, Thirumayam Taluk, Pudukkottai District on the night of 06.05.2015 (between 8 p.m. to 11 p.m.)

For Petitioner : Mr.V.K.Saravanan

For Respondents : Mr.R.Karthikeyan

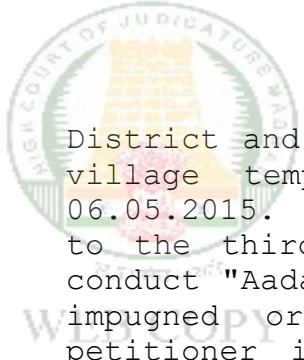
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order of rejection by the second respondent dated 12.04.2015 and quash the same and consequently directing the respondents to grant police permission and protection to stage of Adal Padal cultural programme in the Annual Festival of Arulmigu Sri Vetri Vinayagar Temple, Kallur, Thirumayam Taluk, Pudukkottai District on the night of 06.05.2015 (between 8 p.m. to 11 p.m.)

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 member of Arulmigu Sri Vetri Vinayagar Temple, Kallur, Thirumayam Taluk, Pudukkottai District and every year the "Madhu
<https://hservices.ecourts.gov.in/hservices/> is being conducted by the villagers in temple of Arulmigu Sri Vetri Vinayagar Temple, Kallur, Thirumayam Taluk, Pudukkottai



District and this year also, the villagers jointly decided to conduct the village temple festival, with "Aadal Padal cultural programme" on 06.05.2015. In this connection, a representation was given on 12.04.2015 to the third respondent police, with a request to grant permission to conduct "Aadal Padal cultural programme". The second respondent has passed impugned order rejecting the petitioner's request 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. Considering the facts and circumstances of the case, the impugned order is set aside and the Writ Petition is allowed and the petitioner is permitted to conduct 'Aadal Padal cultural programme' in connection with the temple festival of Arulmigu Sri Vetri Vinayagar Temple, Kallur, Thirumayam Taluk, Pudukkottai District, however, with the following conditions:-

(a) The cultural programme in connection with temple Festival at AArulmigu Sri Vetri Vinayagar Temple, Kallur, Thirumayam Taluk, Pudukkottai District , to be held on 06.05.2015 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

/True copy/



To

1. The Superintendent of Police,
Pudukkottai District.

2. The Inspector of Police,
K.Puthupatti Police Station,
Thirumayam Taluk,
Pudukkottai District.

+1cc to M/S. V.K.SARAVANAN, Advocate in SR.No. 21269

+1cc to Special Government Pleader in SR.No 22124.

TS/30.04.2015/3P-5C

W.P (MD) No.6383 of 2015

23.04.2015