



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

Writ Petition (MD) No. 6417 of 2015

Thavakumar

... Petitioner

Vs

The Inspector of Police,
Keeramangalam Police Station,
Alangudi Taluk,
Pudukkottai District.

... Respondent

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 to grant permission and police protection to conduct Dance and Song programme using Box Speakers from 08.00p.m. to 12.00a.m in front of the Kalliamman Kovil At Keeramangalam Village on 26.04.2015, Alangudi Taluk, Pudukkottai District.

For Petitioner : Mr. RMS. Sethuraman

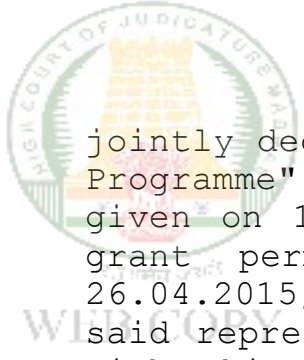
For Respondent : Mr. R. Karthikeyan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for the issuance of Writ of Mandamus, directing the respondents to grant permission and protection to the conduct Dance and Song programme using Box Speakers from 08.00p.m. to 12.00a.m on 26.04.2015 in front of the Kalliamman Kovil At Keeramangalam Village Alangudi Taluk, Pudukkottai District.

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

3. Learned counsel for the petitioner would submit that the petitioner is the Periyalur East Village and every year Kappukattu Festival in the month of Chithirai in Kalliamman Kovil At Keeramangalam Village Alangudi Taluk, Pudukkottai District is being conducted by the villagers and this year also, the villagers



jointly decided to conduct the said Festival, with "Dance and Song Programme" on 26.04.2015. In this connection, a representation was given on 18.04.2015 to the respondent police, with a request to grant permission to conduct "Dance and Song Programme" on 26.04.2015, 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 "Dance and Song Programme" in connection with the festival of Kappukattu Festival in Kaliasman Kovil At Keeramangalam Village Alangudi Taluk, Pudukkottai District

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

(a) The cultural programme in connection with be held on 26.04.2015 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(Writs)

/True Copy/

Sub-Assistant Registrar

To

The Inspector of Police,
Keeramangalam Police Station,
Alangudi Taluk,
Pudukkottai District.

+1cc to Mr.RMS.SETHURAMAN, Advocate, in SR. No.21282/15.

W.P(MD)No.6417 of 2015
23.04.2015

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msm 24.04.2015 p3/3c(IT)