



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2015

CORAM:

THE HONOURABLE Mr. JUSTICE M.M. SUNDRESH

WEB COPY

W.P. (MD) No. 6698 of 2015

S. Shanmugam

... Petitioner

Vs.

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

2. The Inspector of Police,
Thottiyam Police Station,
Thottiyam,
Trichy 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 to give the permission and adequate police protection for conducting Aadal Padal Dance Programme on 28.4.2015 in the eve of Chithirai Pongal Festival in front of Arulmigu Sri. Mariamman Temple in Venthampatti Village, Thottiyam Taluk, Trichy District, on the basis of petitioner's representation dated 15.4.2015.

For Petitioner

: Mr. T. Vadivelan

For Respondents

: Mr. R. Karthikeyan, AGP

ORDER

This Writ Petition has been filed seeking for the issuance of Writ of Mandamus, directing the respondents to give the permission and adequate police protection for conducting Aadal Padal Dance Programme on 28.4.2015 in the eve of Chithirai Pongal Festival in front of Arulmigu Sri. Mariamman Temple in Venthampatti Village, Thottiyam Taluk, Trichy District, on the basis of petitioner's representation dated 15.4.2015.

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 the vizha committee of Arulmigu Sri. Mariamman Temple in Venthampatti Village, Thottiyam Taluk, Trichy District 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 dance programme" on 28.04.2015. In this connection, a representation was given on 15.4.2015 to the respondents police, with a request to grant permission to conduct the above said programme on the said date, however, no order was passed by the respondents 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 "Aadal Padal dance programme" in connection with the above said temple festival.

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

(a) The Aadal Padal dance programme in connection with temple Festival at Arulmigu Sri. Mariamman Temple in Venthampatti Village, Thottiyam Taluk, Trichy District to be held on 28.04.2015 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(T & P)

\True copy\

Sub Assistant Registrar

To

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

2.The Inspector of Police,Thottiyam Police Station,
Thottiyam,Trichy District.

3.The Additional Public Prosecutor,Madurai Bench of Madras High Court,
Madurai.

+1cc to MR.T.VADIVELAN, ADVOCATE SR.NO.22397

W.P(MD)No.6698 of 2015

27.04.2015