



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 27.04.2015**

CORAM:

THE HONOURABLE Mr.JUSTICE M.M.SUNDRESH

W.P. (MD) No.6708 of 2015

S.Ganesan

... Petitioner

Vs.

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

2.The Inspector of Police,
Vachakkarapatti Police Station,
Vachakkarapatti,
Virudhunagar 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 30.4.2015 from 8.00 p.m., to 11.00 p.m., in pursuant to 'Chithirai Festival' of "Sree Vinayagar, Sree Kalamman, Sree Muthumariamman Temple" situated at V.Ramalingapuram, D.Chedapatti Post, R.R.Nagar via, Virudhunagar-626204 considering the petitioner's representation dated 21.4.2015.

For Petitioner	:M/S.LAKSHMIGOPINATHAN, for M/s.Polax Legal Solutions
For Respondents	: Mr.R.Karthikeyan, AGP

O R D E R

This Writ Petition has been filed seeking for the issuance of Writ of Mandamus, directing the respondents herein to grant permission and give necessary police protection to conduct the "Aadalum Padalum" dance programme on 30.4.2015 from 8.00 p.m., to 11.00 p.m., in pursuant to 'Chithirai Festival' of "Sree Vinayagar, Sree Kalamman, Sree Muthumariamman Temple" situated at V.Ramalingapuram, D.Chedapatti Post, R.R.Nagar via, Virudhunagar-626204 by considering the petitioner's representation dated 21.4.2015.

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 "Sree Vinayagar, Sree Kaliyamman, Sree Muthumariamman Temple" situated at V.Ramalingapuram, D.Chedapatti Post, R.R.Nagar via, Virudhunagar-626204 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 "Aadalum Padalum dance programme" on 30.04.2015. In this connection, a representation was given on 21.4.2015 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 "Adalum Padalum dance programme" in connection with the above said temple festival.

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

(a) The Aadalum paadalum dance programme in connection with temple Festival at "Sree Vinayagar, Sree Kaliyamman, Sree Muthumariamman Temple" situated at V.Ramalingapuram, D.Chedapatti Post, R.R.Nagar via, Virudhunagar-626204 to be held on 30.04.2015 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 <https://services.mca21.gov.in/services/> 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(AS)

/True copy/

Sub Assistant Registrar

nbj

To

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

2.The Inspector of Police,
Vachakkarapatti Police Station,
Vachakkarapatti,
Virudhunagar District.

+1cc to M/S.POLAX LEGAL SOULUTIONS, ADVOCATE IN SR NO.22365
+1CC TO SPECIAL GOVERNMENT PLEADER IN SR NO.22832

W.P (MD) No.6708 of 2015
27.04.2015

RG.29.04.2015 3P/5C **I.T**