



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.6819 of 2015

P.Ramesh

... Petitioner

Vs.

The Inspector of Police,
Ammayanayakanore Police Station,
Dindigul District.

... Respondent

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 passed by the respondent dated 17.4.2015 and quash the same as illegal and thereby direct the respondent to accord permission and protection to conduct Dance and Song programme on 3.5.2015 at Alagampatty Village, Nilakottai Taluk, Dindigul District in the event of Sri Kalli Amman and Sri Bagavathi Amman Kovil Festival.

For Petitioner : Mr.M.R.Srinivasan

For Respondent : Mr.R.Karthikeyan, AGP

O R D E R

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 passed by the respondent dated 17.4.2015 and quash the same as illegal and thereby direct the respondent to accord permission and protection to conduct Dance and Song programme on 3.5.2015 at Alagampatty Village, Nilakottai Taluk, Dindigul District in the event of Sri Kalli Amman and Sri Bagavathi Amman Kovil Festival.

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 Kalli Amman and Sri Bagavathi Amman Kovil, Alagampatty Village, Nilakottai Taluk, Dindigul 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 programme" on 3.5.2015. In this connection, a representation was given on 16.04.2015 to the respondent police, with a request to grant permission to conduct the above said programme on the said date, however, impugned order dated 17.4.2015 was passed by the respondent on the said representation declining to accord permission 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 respondent, 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 respondent, this Court is of the view that necessary permission shall be granted to the petitioner and his Villagers to conduct Adal Padal 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 programme in connection with temple Festival at Arulmigu Sri Kalli Amman and Sri Bagavathi Amman Kovil, Alagampatty Village, Nilakottai Taluk, Dindigul District to be held on 3.5.2015 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(CO)

\True copy\

Sub Assistant Registrar

To

The Inspector of Police, Ammayanayakanore Police Station,
Dindigul District.

+1cc to MR.M.R.SREENIVASAN, ADVOCATE SR.NO.22540

+1CC TO THE SPL. GOVT.PLEADER SR.NO.22863

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